

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,
Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,
Defendants.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
JEFFREY E. LENBERG

DATE: November 21, 2022

TIME: 10:05 a.m. to 6:21 p.m. Eastern

LOCATION: Witness location

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions
1250 Eye Street, N.W., Suite 350
Washington, D.C. 20005

A P P E A R A N C E S

On behalf of the Witness:

DAVID K. CLEMENTS, ESQUIRE

David Clements

davidclements13@protonmail.com

On behalf of the Curling Plaintiffs:

CAROLINE MIDDLETON, ESQUIRE

DAVID CROSS, ESQUIRE

JENNA CONAWAY

Morrison & Foerster LLP

2100 L Street, Northwest

Suite 900

Washington, D.C. 20037

cmiddleton@mofo.com

jconaway@mofo.com

A P P E A R A N C E S (Cont'd)

On behalf of the Coalition for Good Governance
Plaintiffs:

BRUCE P. BROWN, ESQUIRE

Bruce P. Brown Law

1123 Zonolite Road, Northeast, Suite 6

Atlanta, Georgia 30306

bbrown@brucepbrownlaw.com

-- and --

MARILYN MARKS, ESQUIRE

Attorney At Law

7035 Marching Duck Drive, E504

Marilyn@uscgg.org

On behalf of the State Defendants:

DANIELLE HERNANDEZ, ESQUIRE

JAVIER PICO PRATS, ESQUIRE

ALEXANDER DENTON, ESQUIRE

Robbins Firm

500 14th Street, Northwest

Atlanta, Georgia 30318

Jpicoprats@robbinsfirm.com

dhernandez@robbinsfirm.com

A P P E A R A N C E S (Cont'd)

On behalf of the State Defendants:

DIANE LAROSS, ESQUIRE

BRYAN JACOUTOT, ESQUIRE (via Zoom)

Taylor English Duma, LLC

1600 Parkwood Circle, Southeast, Suite 200

Atlanta, Georgia 30339

dlaross@taylorenghish.com

bjacoutot@taylorenghish.co

On behalf of the Fulton County Attorney's Office:

DAVID LOWMAN, ESQUIRE (via Zoom)

Fulton County Attorney's Office

141 Pryor Street, Suite 4038

Atlanta, Georgia 30303

david.lowman@fultoncountyga.gov

A P P E A R A N C E S (Cont'd)

Also Present: (Via Zoom)

Bryan Tyson

Kevin Skoglund

Oluwasegun Joseph

Susan Greenhalgh

Hannah Elson

Duncan Buell

Philip Stark

Videographer: Helen Hebert

C O N T E N T S

EXAMINATION BY: PAGE

Counsel for Coalition Plaintiffs	10
Counsel for Curling Plaintiffs	229
Counsel for State Defendants	307
Counsel for The Witness	321
Counsel for Coalition Plaintiffs	325

LENBERG DEPOSITION EXHIBITS

NO. DESCRIPTION PAGE

Exhibit 1	Subpoena	11
Exhibit 2	Jeffrey Lenberg Declaration, October 21, 2022	15
Exhibit 3	Logan Signal messages	73
Exhibit 4	Harvey memo on system copies	96
Exhibit 5	Coffee County ICC & ICP Reports	114
Exhibit 6	Coffee County and Pierce County Records Request	136
Exhibit 7	Color photograph, Cellebrite kit for copying	154
Exhibit 8	Measuring the desk message	157
Exhibit 9	Color photograph, Lenberg light ring	181
Exhibit 11	Color photograph, pictures coming -	193

going

Exhibit 13	Handwritten notes	195
Exhibit 12	ICP - Analysis - Updated, Dominion 5.5	199
Exhibit 14	Thumb drive contents - CCBOE Docs	200
	Responsive to Subpoenas	
Exhibit 15	Ben Cotton Signal & Coffee County	206
	Related E-mails	
Exhibit 16	Moncla Signal Communications Annotated	210
Exhibit 17	Lenberg vote stealing attack	234

*(Exhibit 10 not marked. Exhibits attached to transcript.)

P R O C E E D I N G S

* * * * *

VIDEOGRAPHER: Good morning. We are going on the record at 10:05 a.m. on November 22nd, 2022. Please note that this deposition is being conducted virtually. Quality of the recording depends on the quality of camera and internet connection of participants. What is seen from the witness and heard on screen is what will be recorded.

Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the video-recorded deposition of Jeffrey Lenberg taken by Counsel for Plaintiff in the matter of Donna Curling, et al. versus Brad Raffensperger, et al., filed in the United States District Court for the Northern District of Georgia, Civil Action No. 1:17-cv-02989-AT.

This deposition is being conducted remotely using virtual technology.

1 My name is Ellen Hebert
2 representing Veritext. I am the videographer.
3 The court reporter is Felicia Newland from
4 Veritext.

5 Would counsel please identify
6 yourselves and affiliations for the record,
7 beginning with the noticing attorney.

8 MR. BROWN: Bruce Brown for the
9 Coalition Plaintiffs.

10 MS. MIDDLETON: Caroline Middleton,
11 counsel for Curling Plaintiffs.

12 MR. PICO PRATS: Javier Pico Prats
13 for the State Defendants.

14 MR. CLEMENTS: David Clements on
15 behalf of the witness, Jeffrey Lenberg.

16 MR. LOWMAN: David Lowman on behalf
17 of the Fulton County Attorney's Office.

18 VIDEOGRAPHER: Anyone else?

19 Mr. Denton has just entered the
20 Zoom meeting.

21 If you'd care to introduce
22 yourself, Mr. Denton.

1 MS. HERNANDEZ: Yes, Alexander Denton
2 and Danielle Hernandez are also here on behalf of
3 the State Defendants.

4 VIDEOGRAPHER: Thank you very much.

5 MS. HERNANDEZ: You're welcome.

6 VIDEOGRAPHER: Will the court
7 reporter please swear in the witness?

8 * * * * *

9 Whereupon,

10 JEFFREY E. LENBERG
11 was called as a witness and, having been first duly
12 sworn, was examined and testified as follows:

13 EXAMINATION BY COUNSEL FOR COALITION PLAINTIFFS
14 BY MR. BROWN:

15 Q Good morning. Please state your full
16 name for the record.

17 A Jeffrey Earl Lenberg.

18 Q And you're in New Mexico right now.
19 Is that right?

20 A That's correct. That's correct.

21 Q And you are represented by counsel?

22 A I am.

1 Q And that's Mr. Clements?

2 A That's correct.

3 Q And how -- how long have you been
4 represented by Mr. Clements?

5 A Since yesterday, was our formal
6 agreement.

7 Q I have to ask this, are you under any
8 drugs or medication that would have an impact upon
9 your ability to give accurate and truthful
10 testimony?

11 A No.

12 MR. BROWN: Let me mark as Exhibit 1,
13 Tab 1, which is the subpoena in this case. And
14 make sure we have the Exhibit Share working there.

15 (Lenberg Deposition Exhibit Number 1
16 marked for identification.)

17 MR. BROWN: Are you able to see that
18 exhibit on your screen, Mr. Clements?

19 MR. CLEMENTS: I am not.

20 MR. BROWN: We are going to be
21 showing the witness exhibits using Exhibit Share.
22 Did you get the link to Exhibit Share?

1 MR. CLEMENTS: I did, but I didn't
2 know if it was going to come through on the actual
3 Zoom meeting interface.

4 THE WITNESS: We're not able -- are
5 you not able to display it on the screen so I can
6 see it?

7 MR. BROWN: You will be able to see
8 it from the -- from the laptop that Mr. Clements
9 has. It works better because then we can still see
10 each other. And so we have found that it works
11 better using Exhibit Share, so if you would just
12 work with us on that.

13 MR. CLEMENTS: Just a second.

14 MR. BROWN: Thank you.

15 VIDEOGRAPHER: Counsel, I'm not
16 seeing an exhibit either.

17 MR. BROWN: Okay. Can we go off the
18 record a second? And we'll set it up and make sure
19 that everybody has it. Thank you.

20 VIDEOGRAPHER: Going off the record.
21 The time is 10:10 a.m.

22 (Recess from 10:10 a.m. to 10:15 a.m.)

1 VIDEOGRAPHER: Going back on the
2 record. The time is 10:15 a.m.

3 BY MR. BROWN:

4 Q Thank you, Mr. Lenberg, for --

5 A Well, hold on -- hold on a second.
6 We're not on the right screen. Here it is. Okay.
7 I'm sorry. I'm back on the correct screen now. I
8 was --

9 Q Okay.

10 A I can see you.

11 Q Thank you very much. And whenever
12 there are any documents in front of you, take your
13 time in reviewing them. And if there's
14 transmission difficulties, just let us know.

15 A Okay. Thank you.

16 Q And also, I should just say, I like
17 to take fairly frequent breaks, but if at any time
18 you need a break, that's fine. In these
19 depositions, as you may know, there's frequent
20 breaks, and a lot of times the breaks are necessary
21 actually to speed the examination up so we can all
22 get organized and be able to compare notes and not

1 go over testimony that we've already gotten, but if
2 you ever need a break, just let me know.

3 A I appreciate that very much. I'm 66,
4 so I'm getting at the age where I need breaks
5 regularly.

6 Q Don't say that because I'm almost
7 there. So you've got me by about a year and a
8 half.

9 A Okay.

10 Q Okay. You have obviously seen
11 Exhibit 1, the subpoena for your testimony,
12 correct?

13 A That's correct.

14 Q And you have produced documents in
15 response to that subpoena. Is that right?

16 A Correct.

17 Q I'm going to have further questions
18 about that, including some questions on the
19 documents that were produced this morning, but --

20 A Okay.

21 Q -- let's go ahead and go on with
22 your -- with your testimony.

1 I'm going to right now, to speed
2 things up, mark as Exhibit 2 what we previously
3 marked as Tab 2. And that's your declaration dated
4 October 21, 2022.

5 A Uh-huh.

6 (Lenberg Deposition Exhibit Number 2
7 marked for identification.)

8 BY MR. BROWN:

9 Q And just let me know when that's in
10 front of you.

11 A Yes, I have it.

12 Q I want to direct your attention to
13 the last page of your declaration, page 10.

14 A We're getting there.

15 Now, the last page of my text or the
16 attachments?

17 Q What I'm looking for is your CV.
18 It's the last --

19 A Oh, the CV. Yes, we're on the CV.
20 Uh-huh.

21 Q And is that a reasonably up-to-date
22 copy of your CV?

1 A Yes. A brief CV, yes. It's
2 obviously one page, but yes.

3 Q And let me ask you, I'm going to come
4 back to this probably in a little bit greater
5 detail, but what generally is your experience in
6 testing or evaluating electronic election systems?

7 A Well, I have quite a bit at this
8 point. Since I did testing in Georgia, in Coffee
9 County, I've done quite a bit of testing associated
10 with a court case in Michigan. And I -- those are
11 the two places where I -- I've tested the equipment
12 itself. I also -- it depends on how you define
13 testing. I have -- I've run EMS software as well
14 and evaluated EMS software.

15 Q Which did you work on first, Coffee
16 County or Michigan?

17 A Coffee County was the first location
18 that I actually had an opportunity to go to and try
19 to help.

20 Q And prior to going to Coffee County,
21 did you have experience with electronic voting
22 systems?

1 A I had experience from 1994/'95 time
2 frame, but it was more the data associated with the
3 electronic voting systems versus hands-on
4 equipment.

5 Q Okay. And what is your first
6 experience with the Dominion Voting System?

7 A That was Coffee County.

8 Q Okay. Your background is extensive,
9 I realize that, and it's -- it has many different
10 facets to it, but one of them is in testing. Is
11 that correct?

12 A That's correct.

13 Q And could you just describe for the
14 record how you would characterize your expertise in
15 testing?

16 A It's quite extensive. I've spent 11
17 to 12 years developing and designing satellite
18 systems and designing software to do automated
19 testing of satellite systems, as well as designing
20 test procedures to do that testing, as well as
21 doing all kinds of maintenance on orbit testing of
22 satellites after launch, using software that I had

1 been involved in developing.

2 And then I ended up actually being a
3 manager of a test development group where I had
4 about 20 people working for me developing test
5 systems, as well as later on I had another group.
6 I switched and managed another group that was
7 running operational test systems. So I have all
8 that experience, about 11 years worth of doing
9 that.

10 The kind of testing we did was
11 extremely high-reliability testing. We had to test
12 a satellite system for years before it was
13 launched. The -- I put in my documents a
14 picture -- you probably wondered why it was in
15 there, it was a group of satellites, an early
16 warning satellite system that I had a lot to do
17 with designing circuits. I have hardware flying on
18 that, but a lot of testing associated with that.

19 And we test for years. And at 20,000
20 miles out in space you don't get a chance to go fix
21 it, so you've got to get it right. So the testing
22 is quite extensive. And it's not just testing for

1 function, it's thermal testing, shock testing, all
2 kinds of mechanical, radiation testing, EMC
3 testing, that's electromagnetic connectivity
4 interference, electromagnetic interference testing,
5 acoustic testing. You name it, I -- I have done
6 the testing. I had the good privilege of working
7 at a laboratory that had the most advanced test
8 facilities probably in the United States, maybe in
9 the world.

10 And in addition to that, I did
11 on-orbit testing after we launched our satellites,
12 and so I had to obviously test the systems once
13 they got on orbit. But I also did maintenance on
14 the systems once they were on orbit. So there was
15 a time or two when I was called because of a
16 problem with a payload on orbit on that particular
17 satellite that I showed in the picture there, where
18 I personally went to the ground station of an
19 operational satellite and spent hours testing it
20 and then putting back into a working configuration.

21 Each one of those satellites was an
22 800 million-dollar satellite, \$400 million for

1 the -- the satellite itself and \$400 million,
2 approximately, to launch it. And I was handed
3 control of -- of that satellite. And I personally
4 was the only one sitting there doing the testing,
5 reconfiguring.

6 The particular one that I'm thinking
7 of, I was directed to call the watch officer at
8 NORAD on a secure telephone, which I did, and that
9 was two o'clock in the morning, and he had
10 instructions to wake up the Four Star General that
11 is the head of Space Command and let him know that
12 his -- his primary asset was fully operational once
13 again.

14 So yes, I have very extensive test
15 experience.

16 Q And then you retired in 2012 from
17 Sandia Labs. Is that right?

18 A Late 2011.

19 Q Okay. And then after that, I see you
20 had a -- or have a project in Nairobi, Kenya. Is
21 that right?

22 A I have a small company based in

1 Nairobi, Kenya called Worldwide Africa. And we
2 develop energy systems for nonprofits and others
3 down there, homes, residences, businesses, schools,
4 people that do not have access to electricity.

5 So since that time, leaving Sandia,
6 that's been one of the things that I've done is
7 spend quite a bit of time in Africa, in Kenya,
8 Uganda, current projects in Malawi, Sierra Leone,
9 and bringing energy systems to especially schools
10 that don't have access to it.

11 Q And that's a nonprofit group. Is
12 that right?

13 A My companies are for profit. We work
14 with nonprofits.

15 Q Okay. So I understand you had some
16 election experience in the '90s.

17 MR. BROWN: I think the screen is
18 frozen.

19 Felicia --

20 COURT REPORTER: Yes, he's frozen.

21 BY MR. BROWN:

22 Q We might have missed a little bit of

1 your last sentence here. You froze up there for a
2 second, but I'll -- I'll move on.

3 A Okay.

4 Q You had some experience with
5 elections in the 1990s, I believe --

6 A That's correct.

7 Q -- but recently -- but recently when
8 was your interest in election integrity or election
9 systems renewed?

10 A August 2020, is when it got renewed.

11 Q And what triggered that?

12 A Well, the upcoming election and the
13 fact that I believe we were in the middle of the
14 COVID situation at the time. And part of my
15 background is doing broad spectrum analysis. When
16 you look at vulnerabilities -- you haven't gotten
17 to that part yet -- but I look at things across the
18 board.

19 And so I was paying attention at that
20 point -- began to pay attention to what was going
21 on in the world, and there were just a lot of
22 concerns about what was happening and what might

1 happen in the election, especially with all kinds
2 of changes happening due to COVID. And with my
3 experience from 1994/'95 time frame, thought that I
4 might be able to be helpful and beginning to look
5 at that. And just keep an eye to see if anything
6 untoward might happen in the 2020 election.

7 Q The way I'm going to do this is I'm
8 going to skip forward and then move back to see
9 exactly your connection to this case.

10 A Okay.

11 Q But at some point you were introduced
12 to Doug Logan, correct?

13 A That's correct.

14 Q And who introduced you to Doug Logan?

15 A Jim Penrose did.

16 Q And who introduced you to Jim
17 Penrose?

18 A Seth Keshel.

19 Q Who is Seth Keshel?

20 A Seth Keshel -- let's see, you can
21 probably find out a lot about him on the internet.
22 I don't have his bio in front of me. I know that

1 he has spoken a lot about election integrity
2 related issues nationwide in many different forums.
3 And he was -- I got his phone number from someone.
4 I was trying to get data, I think, from Arizona,
5 just after the election and calling around trying
6 to find out did anybody have data that we could
7 look at to analyze it, and somehow I got Seth's
8 phone number.

9 And when I called Seth, he got me in
10 contact with Jim Penrose and said, "Oh, hey, you're
11 a tech guy, the guy that you want to talk to is Jim
12 Penrose." So he got me in touch with Jim, and that
13 would have been in either late November or early
14 December of 2020.

15 Q So you -- you reached out to -- to
16 Seth after the 2020 election. Is that right?

17 A That's correct. That's correct.

18 Q And your interest was in data from
19 the Arizona election?

20 A At that time, yeah. I was trying to
21 get data, uh-huh.

22 Q And then he referred you to Jim

1 Penrose?

2 A That's correct.

3 Q And who did you understand Jim
4 Penrose was or what his job was or what he was
5 doing?

6 A Well, my understanding was there was
7 a loose collection of people that came together
8 that were trying to understand what happened in the
9 election. And there were anomalies being reported
10 all over the country, many people filing affidavits
11 and so on.

12 And that they were a group of people,
13 obviously there were lawyers and others out looking
14 at stuff, but there were also some technical people
15 that kind of showed up, from all different walks,
16 different locations. And I was one of those that
17 somehow I got plugged in to just -- really just to
18 Jim. I didn't really get plugged into the group.
19 I was sort of on the side.

20 But in any case, my understanding
21 with Jim was loosely in -- in charge of this, what
22 I would call, kind of a ragtag group of people,

1 some of them, I think, quite professional and some
2 of them on the other side of the spectrum, maybe in
3 there even to subvert things.

4 Q Subvert what, the group, or subvert
5 the election?

6 A Subvert the group. In other words,
7 to bring in disinformation, to send people down
8 false trails, to mislead.

9 Q And who were those people?

10 A Excuse me?

11 Q Who were those people?

12 A They're -- let's see, I -- I guess I
13 need advice on that, whether I should be naming
14 people or not, because I don't have any hard
15 evidence. All I have is circumstantial evidence
16 that in my mind makes me believe that there are
17 people that likely were getting misinformation or
18 disinformation on purpose.

19 MR. CLEMENTS: And, Bruce, what I'm
20 going to do is -- I know the subpoena relates to
21 Georgia and Coffee County, but mental impressions
22 that he's learned through his work in Michigan,

1 Arizona, and other places identified, I'm going to
2 go ahead and assert work product privilege.

3 MR. BROWN: Right. The subpoena is
4 not limited to Coffee County, and most of my
5 questions are going to involve some sort of mental
6 impression, I hope. So I'm not sure I'm going to
7 yield to --

8 MR. CLEMENTS: Well, I'm going to
9 instruct him not to answer questions that get into
10 work product because it's protected.

11 BY MR. BROWN:

12 Q Okay. Your attorney has indicated a
13 work product privilege.

14 Were you working for an attorney
15 during this time frame?

16 A I was in Michigan, when I was in
17 Michigan. That's what he was referring to in
18 particular, I believe.

19 Q Okay. You were talking about the --
20 the group that you were, in some sense, associated
21 with, although I think you described yourself as
22 sort of being on the sidelines.

1 A Uh-huh.

2 Q But you were describing the group as
3 being some -- a group of professionals and lawyers
4 and then some people who were trying to subvert the
5 group. And was -- did you learn that in connection
6 with your work in Michigan or somewhere else?

7 A It was over a period of time, as I
8 observed, let's say, the same person or persons
9 showing up in multiple locations and doing things
10 that were not helpful to election integrity and
11 getting to the truth, which has really been my goal
12 all along, is just to find out what happened and
13 get to the truth.

14 And I believe that was the objective
15 of -- of the bulk of the people that I came into
16 contact with, is just trying to understand what
17 happened in the election.

18 Q Okay. I may come back to that.

19 You said you were referred to Jim
20 Penrose. Was this all by phone or by e-mail? Or
21 how did you all communicate with -- how did you
22 communicate first with Seth?

1 A I believe it was -- I -- you know,
2 this is a little distant memory right now, so I'm
3 sure it was a phone call, but it probably was
4 Signal at that point in time.

5 Q And the same question with Jim
6 Penrose; did you communicate with him over the
7 phone and via Signal most likely?

8 A That's generally correct. Either
9 that or I was sitting next to him in -- in the D.C.
10 area or elsewhere.

11 Q And when did you first meet?

12 MR. BROWN: Felicia, I think he froze
13 up again.

14 THE WITNESS: I mean, there were
15 times when --

16 BY MR. BROWN:

17 Q We lost you there for a second just
18 because of the transmission. You were describing
19 how you met with Mr. Penrose.

20 A It was mainly Signal.

21 Q And you also met him in person?

22 A That's correct.

1 Q When's the first time you met him in
2 person, if you recall?

3 A December of 2020. I can't remember
4 exactly which day.

5 Q And where were you? In D.C.?

6 A I was in Maryland.

7 Q And who else did you meet with when
8 you were meeting with Mr. Penrose?

9 A Who else did I meet with? When I met
10 with Jim Penrose, he was the only one I met with.

11 Q And what did you talk about in that
12 December meeting with Mr. Penrose?

13 A We talked about election integrity
14 concerns.

15 Q And what actions were contemplated at
16 that meeting, if any, about election integrity
17 concerns?

18 A What actions? The primary one was to
19 try to understand where anomalies were occurring
20 and what they meant.

21 Q In any particular jurisdictions?

22 A I believe I -- I would -- there were

1 a number of jurisdictions. Obviously Antrim had
2 already occurred, stuff had happened in Georgia
3 that was of great concern. I think those were
4 probably the primary two. Pennsylvania.

5 Q Those were also the states where the
6 margin was smaller than some of the other states?

7 A I believe that's correct.

8 Q And do you recall what stuff had
9 happened in Georgia by the time of your -- or had
10 been reported to have happened in Georgia by the
11 time of your meeting with Mr. Penrose in D.C. in
12 December of 2020?

13 A Yes. I believe -- at that point, I
14 don't believe the runoff had occurred, but I do
15 believe the -- the recount had occurred. I'm
16 trying to remember back to the exact sequence. But
17 in the recount in Coffee County, you may remember,
18 it was in the press, that they had trouble
19 certifying it because they could not get the same
20 count when they ran the recount with the machines.

21 And that was a major red flag, and
22 even to the point where they refused to certify.

1 And the rest of the details, I just think there was
2 a big to-do about it. But it was a big red flag
3 that, in my opinion, should have been investigated
4 by the State to find out why did those machines not
5 properly count those ballots. And, instead, I
6 think the State just certified -- actually, I think
7 the County certified, but I can't swear to that.

8 Q And so did you develop an action plan
9 with Mr. Penrose at that December meeting with
10 respect to the concerns that you have identified?

11 A No, I don't believe we did at that
12 time.

13 Q Do you have an understanding of who,
14 if anybody, Mr. Penrose was working for?

15 A I believe he was associated with
16 Sidney Powell and Defending the Republic. I
17 believe that was the primary group.

18 Q Was he associated with the Trump
19 Campaign?

20 A Not that I know of.

21 Q And then after you met with
22 Mr. Penrose, what was the next time that you

1 communicated with him, if you recall?

2 A I communicated probably -- I can't
3 say the exact time. I would just say we
4 communicated a fair amount over Signal.

5 Q And at some point -- and I'll come
6 back to this, but at some point you were dispatched
7 to go to Georgia. And my question is: Between the
8 meeting in December with Mr. Penrose and actually
9 going to Georgia --

10 A Uh-huh.

11 Q -- did you undertake any other
12 actions relating to election security with
13 Mr. Penrose?

14 A Related to Georgia or related to
15 anything?

16 Q Related to anything, and then I'll
17 focus on Georgia.

18 A Okay. Please repeat that. You said
19 related to anything but focus on Georgia?

20 Q No, I'll ask -- related to anything
21 first. My first question is: Did you have any
22 dealings -- well, let me back up a little bit.

1 I'll make it easier.

2 Eventually you went to Georgia.

3 Between December and when you went to Georgia, did
4 you discuss with Mr. Penrose, or anyone associated
5 with Mr. Penrose, any other project relating to
6 election integrity?

7 A Yes.

8 Q What was that?

9 MR. CLEMENTS: Objection, without
10 getting into particulars. Work product privilege
11 with respect to the Michigan Antrim case.

12 BY MR. BROWN:

13 Q Okay. So you were involved in
14 Michigan between December 2020 and January. Is
15 that right?

16 A Let's see, I -- I was aware of the
17 Antrim. I'm trying to think how to characterize
18 it. We were all aware of Antrim at that point. I
19 think the ASOG report had some out that was out on
20 the internet. So there was certainly contemplation
21 of that. I wasn't directly involved, so there
22 were -- I'm not sure how to answer that.

1 Q Well, did you actually do anything
2 with respect to the Antrim situation between your
3 meeting with Mr. Penrose and going to Georgia or
4 were you just sort of in the loop of information?

5 A I think I was just in the loop of
6 information.

7 Q And did you -- did you go to Michigan
8 during that time frame?

9 A No.

10 Q Just so I can get some overall
11 understanding, when did your work relating to
12 Antrim in Michigan actually begin in earnest
13 relative to Coffee County?

14 A It was after I left Georgia. It was
15 after Georgia.

16 Q Okay. Tell me how you -- okay.
17 Well, let me back up and make sure we have
18 everything.

19 So you reached -- you were looking
20 for information about Arizona, you made contact
21 with Seth Keshel, who referred you to Jim -- Jim
22 Penrose, right?

1 A Right.

2 Q And then you and Penrose had some
3 communications, I take it, but then at some point
4 met in Washington, D.C., correct?

5 A Correct.

6 Q And then at that meeting, you talked
7 about election integrity concerns. Georgia was
8 already on the radar because of the issues with the
9 recount, to the best of your recollection?

10 A Yes, that's correct.

11 Q And then at some point after that
12 meeting, you were also in the loop relating to
13 Antrim, Michigan, but had not yet been deployed to
14 do any actual work for Antrim. Fair to say?

15 MR. BROWN: He's either very focused
16 on my question or he's frozen.

17 MR. CLEMENTS: Bad connection. We
18 didn't hear you, Mr. Brown.

19 MR. BROWN: I'm sorry.

20 THE WITNESS: Can you go back about
21 60 seconds?

22

1 BY MR. BROWN:

2 Q Sure.

3 I was just reviewing your -- your
4 testimony. At your meeting with Mr. Penrose, you
5 discussed Georgia because of the recount issues,
6 and other jurisdictions perhaps. And then after
7 your meeting with Mr. Penrose, but before you
8 actually went to Georgia, you were in the
9 information loop about Antrim, Michigan, but did
10 not actually do any work with respect to that
11 project, correct?

12 A That's correct.

13 Q Okay. And then in that same time
14 frame, that is between the meeting with Penrose and
15 going to Georgia, what communications did you have
16 with anybody about Georgia, about Coffee County in
17 particular, but if there are other jurisdictions,
18 I'd like to know those, too?

19 A Before going to Georgia, is that what
20 you're asking?

21 Q Yes, sir.

22 A I believe my conversations were

1 limited to Jim Penrose.

2 Q And when you started discussions --
3 okay. When you -- when you started discussing with
4 Mr. Penrose, Georgia, was it limited to Coffee
5 County or were there other jurisdictions within
6 Georgia that were a subject of interest?

7 A Can you repeat that, please? You
8 just cut for a few seconds, just a few seconds.
9 Repeat the question, please.

10 Q No problem at all.

11 When your attention was drawn to
12 Georgia, were there other counties in Georgia that
13 were of interest other than Coffee County?

14 A Yes.

15 Q And what counties were those?

16 A Liberty County was the -- was the
17 primary one. I had done some looking at the, you
18 know, publicly available results from Georgia,
19 and -- so yes.

20 Q Any other counties?

21 A I had a list of counties, I believe.
22 I don't remember which other ones were on the list

1 except for maybe Dougherty, I believe is one of the
2 counties there. And I mention that because in --
3 in finding my notes, I noticed a note that said
4 Dougherty.

5 Q Okay.

6 A So I think I did call someone in
7 Dougherty. I didn't go there, but I did ask about
8 it.

9 Q Was there some --

10 A There -- there was one other one, and
11 that was Ware County.

12 Q Ware County. Okay.

13 Now, when --

14 A Oh, and -- at that time, yes.

15 Q So Mr. Logan testified that the group
16 had undertaken some effort to locate a county that
17 would give access to the group to their election
18 equipment. Are you familiar with that effort?

19 A I --

20 MR. CLEMENTS: Don't speculate. If
21 you don't know --

22 THE WITNESS: I don't know.

1 BY MR. BROWN:

2 Q Did you -- did you contact any county
3 and ask them whether they would make their election
4 equipment available for inspection or testing?

5 A I did not.

6 Q But your understanding is that other
7 people did with your organization, correct?

8 MR. CLEMENTS: Objection. Form.

9 BY MR. BROWN:

10 Q Go ahead.

11 MR. CLEMENTS: If you can answer.

12 THE WITNESS: Please repeat the
13 question.

14 BY MR. BROWN:

15 Q Was it your understanding that other
16 people in the group had undertaken to make
17 inquiries of other counties in Georgia to determine
18 whether they would grant access to the group?

19 MR. CLEMENTS: Objection to form. We
20 have some ambiguity as to what constitutes "group."

21 BY MR. BROWN:

22 Q Anyone in the group -- the group

1 would be anyone associated with Jim Penrose.

2 MR. CLEMENTS: Don't speculate.

3 THE WITNESS: I don't know. I was in
4 contact directly with Jim and essentially no one
5 else about that stuff.

6 BY MR. BROWN:

7 Q So you do not have any personal
8 knowledge of any efforts undertaken to obtain
9 authorization to inspect or have access to election
10 equipment in Georgia other than Coffee County,
11 correct?

12 A So I'm thinking --

13 MR. CLEMENTS: Don't speculate.

14 THE WITNESS: I -- I'm not -- I don't
15 know. I -- I can't speculate, but I don't believe
16 so.

17 BY MR. BROWN:

18 Q Okay. Now, you -- your attorney is
19 correct that we don't want you to speculate, but
20 you are obligated to tell the whole truth, of
21 course.

22 A Right.

1 Q And so if you do remember something,
2 please be fair about your response so that we can
3 get accurate testimony. Fair enough?

4 A I -- fair enough. I want to do that,
5 too.

6 Q Okay.

7 A I do want to be accurate. I don't
8 want to speculate. If I don't recall, I'll tell
9 you I don't recall. And I'm not making it up.

10 Q Fair enough.

11 Now, when did you first learn that
12 you might be going to Coffee County?

13 A I think it was just before we went.
14 So mid-January would have been the time.

15 Q And what was your understanding of
16 that time of the purpose of going to Coffee County?

17 A The purpose was at that point the
18 runoff had occurred and another major anomaly
19 occurred in Coffee County that was reported by
20 the --

21 (Witness froze.)

22 THE WITNESS: -- and the pieces

1 there, we understood --

2 BY MR. BROWN:

3 Q Let me -- let me interrupt you. We
4 lost you there for a second. And let me try to go
5 back so we can give you a chance to get on the
6 record.

7 MR. BROWN: He's still frozen.

8 MR. CLEMENTS: Do you still have us?

9 MR. BROWN: No, we lost you there.

10 I'm not --

11 (Discussion had off the record.)

12 THE WITNESS: I can switch to another
13 network if you -- if you want to go off the record.

14 MR. BROWN: Let's go off the record
15 for a second. Thank you. I appreciate it.

16 VIDEOGRAPHER: Going off the record.
17 The time is 10:49 a.m.

18 (Recess from 10:49 a.m. to 10:54 a.m.)

19 VIDEOGRAPHER: Going back on the
20 record. The time is 10:54 a.m.

21 MR. BROWN: And then, Felicia, what
22 was the last question and answer that you actually

1 got?

2 (The reporter read as requested.)

3 THE WITNESS: I will pick up there.

4 BY MR. BROWN:

5 Q Yes, sir, please.

6 A Okay. So yeah. So the runoff had
7 occurred, we got notice, Penrose did, that another
8 major anomaly had occurred during the runoff in
9 Coffee County. And that in particular was that it
10 appeared that the machine, the ImageCast Central,
11 which is the high-speed scanner which is hooked to
12 the Election Management System via a bridge had
13 been remotely reconfigured by Dominion apparently.
14 So that was the concern, is that, geewillikers, how
15 is this thing being communicated.

16 And the concern about it is, of
17 course, not just the machine seem to be
18 reconfigured to make it work, but also it was
19 connected to the EMS, so if there was any way to
20 reach that machine remotely, then you could reach
21 the EMS also. And so that was a major concern that
22 was felt needed to be investigated to try to find

1 out what actually occurred there and whether or not
2 there were any remote communications going on.

3 Q And did you -- I believe with respect
4 to the remote communications, at some point you
5 discovered that the ICC motherboard had both a
6 Wi-Fi and a Bluetooth chip on it. Is that correct?

7 A Yeah. Let me clarify that. So the
8 ICC is made up of two components, an off-the-shelf
9 optical high-speed scanner from Canon, or there's
10 another brand or two that they use as well, but the
11 one in Coffee was Canon.

12 And then this is a Dell computer.
13 And all -- the optical scans, all of the processing
14 of those scans and tallying and so on, interpreting
15 is done, on the Dell computer. I got the model of
16 that Dell computer, I looked it up, and that model
17 by default has a Wi-Fi and a Bluetooth built into
18 the motherboard. So I got that off of the
19 specification sheet from Dell.

20 Q And so you can't purchase that laptop
21 without Bluetooth and Wi-Fi?

22 A I don't know.

1 Q Did you ask?

2 A I did not ask Dell.

3 Q Did you physically inspect that
4 computer to determine the contents of the
5 motherboard?

6 A No, I did not.

7 Q And so if the evidence were that the
8 Dell computers that are used in Georgia do not have
9 the Wi-Fi or Bluetooth chip on the motherboard, you
10 would have no basis to refute that, correct?

11 A If -- that's correct, if they had
12 been removed.

13 Q Or not ordered in the first place,
14 right?

15 A I don't believe that is an option.

16 Q Okay. And --

17 A I don't believe those were optional,
18 that those were standard features on that
19 motherboard.

20 Q The default features, correct?

21 A They were standard features according
22 to the specifications, as I remember it.

1 Q Okay.

2 A They were standard features. They're
3 not optional features.

4 Q And let's go back. We were -- we got
5 off on this rabbit trail in response to my question
6 about the purpose of going to Coffee County. And
7 you mentioned by that time there -- there had been
8 another major anomaly. And I'll get back to that.

9 But what was the -- I understand the
10 conditions that you were hearing, but what was the
11 purpose of your visit? What were you going to do?

12 A The purpose was to see via testing
13 Ms. Hampton doing the testing, but being able to
14 see if that issue could be recreated that they saw,
15 where the machine was working very, very poorly
16 until Dominion was contacted, and 30 minutes later,
17 this is after hours of having problems with that
18 machine not being able to get anywhere essentially
19 or -- or very, very slow going, and Dominion came
20 in and said, "Try one more time."

21 This is all secondhand from Misty, by
22 the way. I was not there for the runoff. So

1 everything I know about this was given to me from
2 Ms. Hampton. So as you know, a third party may not
3 get all of the details exactly in memory correctly.

4 But if my memory serves me correctly,
5 she said that they had tried and tried, they
6 cleaned, they cleaned, they did all kinds of stuff,
7 it wasn't going to work, it wasn't working. And
8 that eventually I believe one of the board members
9 called the Dominion folks or -- or somehow got them
10 on the line and -- and said, "Hey, you need to fix
11 this thing." And 30 minutes later, supposedly
12 without any physical access directly to the ICC
13 computer, the machine began to work perfectly.

14 And so when I arrived there, that was
15 one of the major things was to see if the machine
16 was still working perfectly via testing and whether
17 or not there was any way to potentially reconfigure
18 it, have Ms. Hampton reconfigure it to get it back
19 into a misbehaving state. And that might prove
20 that at least there was a vulnerability concern
21 with the machine, that it can be put into states
22 that make it inoperable.

1 Q Was your purpose in going to Georgia
2 to -- to verify the results of the 2020 election?

3 A No.

4 Q Was it to refute or to show that the
5 results of the 2020 election, as reported by
6 Georgia, were incorrect?

7 A Not at all.

8 Q Did you ever determine that the
9 results in the 2020 election in Georgia were
10 incorrect?

11 A Partially. I didn't determine that
12 the overall results were incorrect, but the data
13 that I got from Liberty County suggests that there
14 was an anomaly there in the vote count that should
15 have been investigated.

16 Q And what was the Liberty County
17 anomaly?

18 A It appears from the data that I
19 received through an information records request to
20 the election supervisor there, they provided all of
21 their batch sheets. It was from their recount --
22 from the manual recount that occurred, so they --

1 they provided the paper tapes the actual election.
2 This is in the exhibits, by the way. All of this
3 was turned over to you.

4 So in the exhibits there is the paper
5 tapes from the election, there are the EMS server
6 summary that the election supervisor printed out
7 for me, as well as another detailed record from the
8 EMS that she printed out, and then the batch
9 sheets.

10 So there were all the batch sheets
11 from the manual recount that was done statewide.
12 And when you compare those, it appears that --
13 appears because, you know, I never went back there
14 to try to dig in and confirm it, but it appears
15 that the early voting tabulators, of the four of
16 them, one of them had 500 ballots out of, I
17 think -- I don't remember the exact number, but it
18 is in my Otero briefing, the one slide in there
19 related to Liberty County is in there.

20 I turned that over, if you find that
21 exhibit that says Otero. And one of the tabulators
22 had 500 missing ballots, if you will -- excuse me

1 500 missing votes so -- and then another one had
2 1,500 -- of the early voting machines had 1,500
3 extra votes above the number of ballots that were
4 hand tallied according to the batch sheets that I
5 received from the county.

6 Q Were you -- but you were never able
7 to sufficiently verify one way or the other whether
8 the results in Liberty County were correct or
9 incorrect?

10 A That's correct, I was never able to
11 do that. I was on to other anomalies that I was
12 looking at, yeah.

13 Q Okay. So you mentioned -- you
14 mentioned Coffee County in response to my question
15 of whether you were able to determine if the
16 results in the 2020 election were correct or
17 incorrect.

18 Was there any other instance in which
19 you found that with further investigation there
20 might be a problem with the counting of the votes?

21 A I'm sorry, I'm thinking. Are you
22 saying something that I specifically found or that

1 other people were concerned about?

2 Q That you found.

3 A That I found. No. In Georgia, no,
4 nothing else.

5 Q In Coffee County, you didn't find any
6 evidence that the votes were miscounted in Coffee
7 County, did you?

8 A That's correct.

9 Q Did you ever report nationally or on
10 any sort of blog or anything that you had been to
11 Georgia, that you looked at it, that you're an
12 expert, and that you have these qualifications.
13 And based upon what you --

14 MR. CLEMENTS: Objection to the form
15 of the question. There are several questions
16 there. Maybe take each one in turn, please. It's
17 compound.

18 BY MR. BROWN:

19 Q Did you ever report to anyone that
20 based upon your review, the results out of Coffee
21 County appeared to be correct?

22 MR. CLEMENTS: Make sure you

1 understand the question.

2 THE WITNESS: Correct or incorrect?

3 BY MR. BROWN:

4 Q Correct.

5 A I don't believe I did.

6 You're talking about the vote tally?

7 Q Yes.

8 A Okay. I don't believe I reported
9 either that it was correct or incorrect. That was
10 not my purpose for being there.

11 Q Okay. So other than -- not that this
12 was insufficient, but other than investigating the
13 anomaly relating to Dominion changing, or
14 apparently changing, the configurations remotely on
15 the ICC scanner, were there any other anomalies
16 related to Coffee County that you were -- that you
17 went there to investigate?

18 A Yes. And so the ICPs, which are the
19 slow-speed tabulators used at the precincts that
20 scan the QR codes, QR-coded ballots, you know,
21 they're made by the ballot-marketing devices, the
22 ICXs that are used in Georgia, the concern there

1 was also whether or not those were having any
2 issues.

3 And at that point in time, the ASOG
4 report from Antrim had already come out, which had
5 reported from the system log files that there was a
6 very anomalous number of reversals of ballots as
7 high as 86 percent in one of the townships in
8 Antrim. And I later on determined that the average
9 in Antrim was about 30 percent, reversals of the
10 ballots, which is totally unacceptable from the
11 standards that are published nationally, way beyond
12 the standard, which is 1 in 500.

13 Q And by reversal, you don't really
14 mean reversal, you mean more like ejection or
15 rejection, correct?

16 A What I mean is reversal in the sense
17 that is the term that is used in the log file. It
18 says the ballot has been reversed. And what it
19 means is a physical reversal of the ballots. So
20 the ballot goes in, it's scanned, it's actually
21 interpreted, because the point of that feature --
22 the -- the valid point for that feature is that it

1 can detect, for example, if there is an overlook.

2 If someone voted twice in a contest
3 where you can only vote once and it will then pop
4 up on the screen a message typically that says,
5 "Hey, there's an overvote, do you want to cast this
6 ballot any way or do you want to reject it?" And
7 if you reject it, it reverses it, and then you take
8 it over to the election official, the ballot is
9 spoiled, the voter is given a new ballot, and --
10 and they revote and the original ballot is
11 destroyed.

12 However, with these reversals -- and
13 that's what they're called in the log files -- what
14 happens is it comes out, but everybody across the
15 country that's now -- I found out this over time.
16 I did not know because I was just learning these
17 systems in Coffee County when I got there, but
18 everybody has learned to just put it in the second
19 time.

20 And they put it in a second time and
21 it might take it, it often takes it the second
22 time. Or put it in a third time if it rejects it

1 twice and it will take it the third time, with no
2 apparent reason for rejecting it the first time.
3 So it rejects it, you put it in. And that is
4 totally -- as an engineer, that's totally
5 unacceptable.

6 If the ballot is rejected the first
7 time, it should tell me why. And if it's rejected
8 for some reason, it shouldn't reject it the second
9 time, the third time, every time it should reject
10 it. It's very unacceptable to have a machine that
11 will reject it and then take it on the second or
12 the third try.

13 And, yet, that's happening all over
14 the country. In Coffee County, it appeared to
15 be -- in our testing, it appeared to be around
16 15 percent of the ballots were being reversed on
17 the ICPs, not the ICC, but the slow-speed
18 tabulator, that they were reversing around
19 15 percent.

20 And they were reversing a ratio of, I
21 believe, it was six to one or seven to one for
22 Trump. So not only were they reversing, but they

1 were reversing preferentially for one candidate
2 over the other.

3 And, in addition, keep in mind that
4 these were QR-coded ballots, so it wasn't a matter
5 of interpreting the name of the candidate, it was
6 in the QR code that it was reading. And for some
7 reason, which is quite suspicious, it was reversing
8 one candidate far more than the other candidate.
9 That's a problem.

10 Q I'm going to come back to your
11 findings in -- in a second. But just so we get
12 this in the record right here, what you're
13 describing is not what was happening in the
14 election, but what was happening when you were
15 testing it with Misty Hampton, correct?

16 A I'm not positive.

17 MR. CLEMENTS: Don't speculate.

18 BY MR. BROWN:

19 Q What you're describing is what was --
20 what was happening with your testing, not with the
21 actual election, correct?

22 MR. CLEMENTS: If you don't know,

1 don't answer, if you don't know.

2 THE WITNESS: I -- I don't know.

3 BY MR. BROWN:

4 Q So you -- well, you don't know
5 anything or you don't know what you were testing
6 with Misty Hampton or --

7 A Please -- please repeat the question.

8 Q Okay. You were describing --

9 A Please --

10 Q You were describing a phenomena in
11 which the ICP was rejecting with too great a
12 frequency ballots. Are you with me?

13 A Yes.

14 Q And that phenomena was based upon
15 your observations of your testing, correct?

16 A Correct.

17 Q It was not based upon your
18 observation of the actual election, correct?

19 A Correct.

20 Q And in the actual election, Coffee
21 County, after everybody had scanned their ballots
22 and had them rejected or not, and after they were

1 tabulated, Coffee County did a hand recount of
2 those same ballots, correct?

3 A Yes. They -- I think -- the --
4 you're talking about the original election, the
5 November 3rd election?

6 Q That's right.

7 A Yes. Uh-huh.

8 Q And in the hand recount, what was the
9 difference between the votes for Trump in the hand
10 recount and the original election results?

11 A I -- I don't know the exact number.
12 There was a difference, but I don't know the exact
13 number.

14 Q Isn't it true that it was exactly the
15 same?

16 A No, that's not true.

17 Q What about the votes for -- for
18 Biden, were they the same?

19 A I don't know for certain. I do know
20 that the results were different during the -- now
21 you are talking about -- excuse me. I'm confused,
22 the hand recount or the machine recount?

1 Q I'm talking about the hand recount.

2 A Okay. The machine recount I was
3 answering. I'm sorry. I stand corrected. There
4 was a difference there.

5 The hand recount, I do not know.

6 Q Isn't it true --

7 A I didn't do that.

8 Q Isn't it true that in the hand
9 recount, the results were the same except for a
10 one-vote difference with the third-party candidate?

11 MR. CLEMENTS: He already answered
12 the question.

13 THE WITNESS: I don't know.

14 BY MR. BROWN:

15 Q Okay. So you don't -- if that were
16 true, if, in fact, the hand recount confirmed the
17 results of the original election, then the anomaly
18 that you later saw in testing did not have an
19 impact upon the results in the Coffee County
20 election?

21 A I don't believe you can reach that
22 conclusion from what you just said.

1 Q Why not?

2 A Because it doesn't follow logically.
3 It -- it -- the testing that showed the reversing
4 very well may have been occurring during the
5 election. The reversals may have been occurring.

6 Q I didn't ask that. I wasn't asking
7 about the reversals --

8 A Uh-huh.

9 Q -- I was asking about the results.

10 A Okay. Rephrase the question, please,
11 or ask it again.

12 Q Okay. The phenomena that you
13 described based upon your testing apparently did
14 not have a -- did not have an impact upon the
15 actual tally of the votes in the election?

16 MR. CLEMENTS: Objection to
17 foundation.

18 THE WITNESS: Yeah, I can't answer
19 the question because I didn't check it. I don't
20 know. I did not check that specific thing, so I do
21 not know the answer to the question.

22

1 BY MR. BROWN:

2 Q Well, I believe you say so in your
3 material that the best way to determine the vote is
4 to do a hand count of the vote, correct?

5 A That is the best way, yes.

6 If you would like, I can speak to
7 that briefly, the hand recount. What I can say is
8 that I'm aware -- I was told that the batch sheets
9 were all on the Secretary of State website, that
10 anybody could go verify it themselves.

11 So, in fact, when I showed up at
12 Liberty County and I asked for those, they said,
13 "Just get them off the Secretary of State's
14 website."

15 And I said, "I've already tried.
16 There are 29 on the website."

17 They said, "Well, that's odd, we gave
18 them all to the Secretary of State. There's
19 250-some of them." Some number like that. Only 29
20 were on the website.

21 So -- and others that I have seen
22 reporting on showed that it actually did go through

1 all of the batch sheets that were available on the
2 Secretary of State website found that 25 percent of
3 the batch sheets were missing, 25 percent added up
4 to nearly a million votes were missing. So I would
5 say that the recount was totally unverifiable.

6 Q Right, and your -- I want to stick
7 with your personal knowledge.

8 A The hand recount.

9 What's that?

10 Q I want to stick with what you know
11 rather than what you've read.

12 A Okay. What I know is in Liberty
13 County, there were 29 of the sheets available on
14 the Secretary of State website. I got two hundred
15 and some from the Liberty County election
16 supervisor via records request. I looked at their
17 numbers and they did not seem to add up. The --
18 the batch sheets from the State did not -- it did
19 not add up correctly in Liberty County. It did not
20 come out to the correct number of votes.

21 Q But other than Liberty County and
22 Coffee County, did you have any personal knowledge

1 of anomalies in Georgia relating to the election,
2 the 2020 election?

3 A No.

4 Q Okay. Getting back to my question --

5 A Oh, excuse me. Excuse me. Yes,
6 there's one. I'm sorry. I forgot about Ware
7 County. I had made -- I had made a call -- go
8 ahead, yes.

9 Q What was the issue in Ware? Thank
10 you.

11 A Yeah. It had been reported that
12 during the machine recount, not the manual recount,
13 but the machine recount, that there was an anomaly
14 in Ware County. And that anomaly was that there
15 was 37 votes less for Trump and 37 votes more for
16 Biden in that county in the manual recount.

17 I was given the phone number for the
18 election supervisor for Ware County. Very nice
19 gentleman. I called him up, and we just talked on
20 the phone. And I asked him about it and asked him
21 about the -- what had happened.

22 And so he explained that they had

1 been doing all the recount on a high-speed scanner,
2 ICC, and that they had a jam that occurred where it
3 stopped, kind of like Misty's, which went on and on
4 and on, but -- but theirs was just a one-time or a
5 two-time thing during the entire recount.

6 And because the Dominion Systems that
7 year were new, he said, to the State, they did not
8 properly reset the ICC when they put the ballots
9 back through. When they -- when it -- when it
10 stops, you have to take the ballot stack, redo it,
11 and put it back in. And you have to do it in a
12 very specific way so it's accurate. And you have
13 to reset the machine.

14 So apparently they were supposed to
15 reset it to where it would start over and they
16 didn't reset it. And so it ended up counting more
17 than -- they were doing 100 batch -- 100 ballot
18 batches. And it ended up counting more than 100
19 ballots.

20 And so that got my interest because I
21 had theorized the way you might pass on LAT, a
22 logic and accuracy test, is to have a trigger

1 level, a certain number of ballots built into the
2 machine. And if you exceed that level, then the
3 subversion would take place. And if you did not
4 exceed that level, then it would work perfectly.

5 And in most states -- and I believe
6 this is true in Georgia -- the test ballots and the
7 number of test ballots are dictated by the voting
8 machine company created by them sent to the
9 counties. And I know that's true in New Mexico.
10 And they run exactly that for the LAT testing.

11 And so in Ware County, I was
12 concerned that possibly what had occurred was that
13 they hit a trigger level and that it actually
14 shifted votes within the machine, or it potentially
15 could have been a subversion that shifted votes in
16 the machine. Because it would be pretty odd that
17 it was exactly 37 votes from one candidate given to
18 the other candidate. And that the trigger -- they
19 may have met a trigger level by accidentally doing
20 more than 100 ballots at a time.

21 Interestingly, in Maricopa the number
22 was 200 ballots at a time for the early voting

1 machines, whereas, in Georgia, they were all
2 instructed to run 100 ballots at a time.

3 Q You said the subversion level. And
4 that is some sort of malware that's triggered upon
5 the event of the scanners -- the group being
6 greater than 100 or greater than 200?

7 A That's what I'm theorizing, is -- is,
8 as a vulnerability expert, that would be something
9 that a bad actor could do, is get it into the
10 firmware. Because you have to pass the logic and
11 accuracy test, right? So if -- if the number of
12 ballots in the test was 40, and you have it set to
13 trigger at 50, you can run LAT tests all day long
14 and they'll run perfectly, the machine will run
15 perfectly, and so it will not trigger the
16 subversion until you run above the trigger level.

17 Q Were you able to determine one way or
18 the other whether in Ware County had been
19 victimized by some sort of malware?

20 A I was not able to. I -- I did not go
21 there. I was not able to pursue it further.

22 Q Okay. Any other counties other than

1 Coffee, Liberty, and Ware?

2 A What's the question?

3 Q Oh, I'm sorry. Good question to
4 make.

5 Other than Liberty County, Coffee
6 County, and Ware County, were there other counties
7 in Georgia that you observed have a reason to
8 believe the counting of the votes was incorrect?

9 A Let's see, the form of your question
10 is odd. I wasn't there trying to determine if the
11 vote count was incorrect in any of the elections in
12 Georgia. I was looking at the anomalies trying to
13 determine if those anomalies were machine related
14 or not. I was not there trying to determine if any
15 vote count was correct or not.

16 Does that help you with your
17 question?

18 Q It does.

19 Were there other counties that you
20 investigated with respect to the anomalies in the
21 machines?

22 A There is one other county that I --

1 in my notes I found. I mentioned earlier that I
2 had called Dougherty County. And I have one sheet
3 where they gave me some information about how many
4 tabulators they have and how many voters were
5 casted, how many voters, that kind of stuff. It
6 appears to be on that sheet.

7 In addition, Pierce County was one
8 that Ms. Hampton knew the election supervisor in
9 Pierce County, said that she had some concerns. So
10 I ended up speaking with her and visiting with her.
11 And submitting records request to her, which is in
12 the exhibits that I provided to you, was Pierce
13 County.

14 And her -- her main concern was that
15 the -- the number of absentee ballots in -- was
16 extremely high, of course due to COVID, so it was
17 naturally high because of COVID, but it's -- the
18 way she explained it -- and, again, it's just my
19 recollection of it. But she said, "Look, you know,
20 we're a small county. We pretty much know who our
21 people are here." And she just felt like it felt
22 odd that there was maybe a lot of voting going on

1 of people that she didn't know who they were or had
2 never, you know, recognized names and stuff before.

3 I don't know. It was just a concern
4 she had about what she felt was an abnormal number
5 of absentee votes. And, of course, those all get
6 counted typically on the high-speed scanners, on
7 the ICCs, which is what we were looking at in
8 Coffee County, the potential anomalies on those.

9 Q Were you able to follow up on that
10 concern with respect to Pierce County?

11 A No. They never produced results to
12 that records request that I -- I believe I sent to
13 them.

14 Q How about Dougherty County, other
15 than that conversation with the elections director
16 there, were you able to pursue that at all?

17 A I did not.

18 Q Okay. Any other counties other than
19 Pierce, Dougherty, Ware, Liberty, and Coffee?

20 A Not that I recollect.

21 Q Okay. Going back up to Coffee
22 County -- I have got to keep my place in my

1 notebook here, but you identified two anomalies.
2 One was the remote with Dominion, the other was
3 the, what you called, reversals, or rejection, rate
4 relating to the ICPs. Were there any other
5 anomalies with respect to the machines that you
6 investigated in Coffee County?

7 A Not that I recollect.

8 Q Did you investigate anything relating
9 to the poll pads?

10 A Ms. Hampton -- while I was there,
11 keep in mind, this was the first time I had seen
12 this, you know, current generation of voting
13 machines, other than me voting at my voting
14 location in New Mexico, so I was learning as much
15 as I could. And she was very helpful in
16 explaining, you know, basic voting systems, Georgia
17 election law. She was quite knowledgeable about
18 Georgia election law. And also about her voting
19 machines. She -- she runs herself. She knows the
20 whole thing.

21 And so the pollbooks, they actually
22 showed me the pollbooks. I believe they actually

1 demonstrated to me the pollbook. But other than
2 telling me how it worked, demonstrating it, they
3 showed me that -- or she showed me that it was
4 connected to the internet during its operation and
5 that they literally could go order Domino's Pizza
6 and have it delivered while it was connected to the
7 internet.

8 Q Okay. Let me shift gears a little
9 bit.

10 Did you know --

11 MR. CLEMENTS: How much --

12 BY MR. BROWN:

13 Q Do you know --

14 MR. CLEMENTS: Bruce, if you're about
15 to shift gears, is there a way that we could maybe
16 take a quick restroom break?

17 MR. BROWN: Absolutely. Let's break
18 for ten minutes. Thank you. Thank you.

19 VIDEOGRAPHER: Going off the record.
20 The time is 11:28 a.m.

21 (Recess from 11:28 a.m. to 11:42 a.m.)

22 VIDEOGRAPHER: Going on the record.

1 The time is 11:42 a.m.

2 MR. BROWN: I would like to go back
3 on the record and mark as Exhibit 3, Tab 3.

4 (Lenberg Deposition Exhibit Number 3
5 marked for identification.)

6 BY MR. BROWN:

7 Q If you all could pull that up.

8 MR. CLEMENTS: Bruce, I have got an
9 Exhibit 1, Tab 1, and I've got an Exhibit 2, Tab 2.
10 I'm not seeing an exhibit -- is it 3?

11 MR. BROWN: 3.

12 THE WITNESS: Yeah.

13 BY MR. BROWN:

14 Q Well, while that gets uploaded, let
15 me go ahead and ask you some questions that -- that
16 are not depended upon that.

17 MR. BROWN: And then, Jenna, if you
18 could pull that up, that would be great, or
19 Marilyn.

20 MS. CONAWAY: It's up. Could you
21 refresh --

22 MR. CLEMENTS: There was a folder for

1 marked exhibits. I clicked on that and see it.

2 MR. BROWN: Okay. Thank you.

3 BY MR. BROWN:

4 Q Okay. If you would look at
5 Exhibit 3.

6 MR. BROWN: For the record, Exhibit 3
7 is a document that was produced by Doug Logan,
8 which he represented to be a capture of his Signal
9 messages.

10 BY MR. BROWN:

11 Q And do you see that there,
12 Mr. Lenberg?

13 A Yes, I do.

14 Q And you communicated with Mr. Logan
15 via Signal, correct?

16 A Yes.

17 Q And at some point -- I believe you
18 testified at some point in mid-January you were
19 deployed to Coffee County, correct?

20 A Yeah. I see a date of January 17th,
21 and that would be correct. That would be the time
22 we went there, Doug and I. Jim, you know --

1 basically, I went down at Jim's suggestion, and
2 agreement with me to do that. And then he
3 contacted Doug to see if he could come up and work
4 with me on -- on it.

5 Q Had you worked with Mr. Logan before?

6 A I had met Mr. Logan in Washington,
7 D.C.

8 Q And what was the occasion for meeting
9 him in Washington, D.C.?

10 A I -- I don't remember a specific
11 reason. I was with Jim Penrose and -- and was at a
12 meeting of some of these tech people. I actually
13 only attended one of those meetings. Doug was at
14 that meeting, and so basically I met Doug there,
15 but I did not work with Doug at that time. I had
16 not done any work with him until I went to Georgia.

17 Q Okay. And so in D.C., you met with
18 Penrose once, I believe, by yourself, just the two
19 of you. Is that right?

20 A The first time, yeah.

21 Q And then another time you had a
22 meeting with tech people. Is that right?

1 A Yes. I was in a meeting that had a
2 group of tech people. I could not name them all.

3 Q Can you name some of them?

4 Well, Mr. Logan. Who else?

5 A I can't remember all of the people
6 that were there.

7 Q Was Ben Cotton there?

8 A I'm quite certain -- I -- I didn't
9 meet Ben until Michigan --

10 Q So quite certain --

11 A -- which was after Georgia, so I'm
12 certain Ben was not there.

13 Q And how about Russ Ramsland?

14 A I'm thinking. Again, I -- I don't
15 know everybody. I was new to the group, so I'm not
16 even sure I knew everybody at the time. I was just
17 learning, but I don't recollect Russ Ramsland being
18 there.

19 Q How about -- was Penrose in that
20 meeting as well?

21 A Yes. Yeah. He's the one who brought
22 me to the meeting, yes.

1 Q Were any attorneys there?

2 A Not that I know of. Again, I didn't
3 know everybody in the room, so I can't tell you for
4 sure.

5 Q Was Mike Flynn there?

6 A I believe he was.

7 Q Was Sidney Powell?

8 A I don't believe she was. Those two I
9 knew who they were from the media.

10 Q How about Stephanie Lambert?

11 A She was not there to my recollection.
12 I did not meet Stephanie until later, much later.

13 Q What about Charles Bundren?

14 A I still don't know who Charles
15 Bundren is.

16 Q How about Todd Sanders?

17 A I -- I don't know for sure.

18 Q You might have --

19 A I knew -- what's that?

20 Q He might have been there, you just
21 don't recall?

22 A He might have been there. I -- I

1 cannot say for sure.

2 Q How about Mike Lynch?

3 A He was not there. I did not meet him
4 until much later.

5 Q How about Patrick Burn?

6 A I believe he was there.

7 Q Conan Hayes?

8 A I believe he was there.

9 Q Cathy Latham?

10 A I have never met Cathy Latham.

11 Q Was anybody there from Georgia?

12 A I wouldn't know because I didn't know
13 everybody in the room.

14 Q Not that you know --

15 A No one that I knew --

16 Q Okay.

17 A -- at that point in time or
18 afterwards.

19 Q And what was the -- what was the --
20 was Steven Bannon there?

21 A No.

22 Q Was anybody associated with the Trump

1 Campaign there?

2 A Not that I know of. Again, I don't
3 know everybody that was in the room, but to my
4 knowledge -- the ones that were public figures,
5 I -- I didn't -- I didn't notice or recognize any
6 of them in the room.

7 Q And about what date was this in
8 December, do you know --

9 A I couldn't --

10 Q -- or can you say?

11 A I'm pretty sure it was December, but
12 I cannot tell you the date.

13 Q Okay.

14 A I don't know.

15 Q Do you remember the -- do you
16 remember anybody that I haven't mentioned?

17 A No.

18 Q And where physically was the meeting?

19 A It was in Washington, D.C.

20 Q Was it in the Mayflower Hotel?

21 A It was not.

22 Q Do you recall where it was?

1 A It was in a building that I was taken
2 to, and I do, even now, not know what the address
3 is of that building.

4 Q Was it like the United States Post
5 Office? Was it the east wing of the --

6 A No. No.

7 Q Okay. You don't know the
8 organization that it was associated with, the
9 building?

10 A No, I don't recollect.

11 Q Now, was anybody -- was it a
12 government building?

13 A Not that I know of.

14 Q Was anybody associated with the
15 President there, meaning the executive branch?

16 A No one that I know of. Again, I --
17 I -- keep in mind, I was -- I'm not political. I
18 don't sit and watch the stuff. I -- I -- I don't
19 campaign for any political parties, and so I was
20 not aware of who was who. Literally, I was meeting
21 people for the first time, all of those people.
22 So -- but the big names that were in the press at

1 the time, no, none of those were there that --
2 that --

3 Q Well, Flynn and Burn were there,
4 right?

5 A Other than -- other than the two that
6 I mentioned, there were none others there that I
7 know of.

8 Q And what was discussed in that
9 meeting?

10 A Various anomalies in different
11 places, and, you know, what was being looked at in
12 different places.

13 Q And what was the, for lack of a
14 better expression, sort of the purpose of the
15 meeting to do?

16 To just talk about it or to do
17 something about it?

18 A I -- I can't answer that question. I
19 didn't call the meeting. I didn't run the meeting,
20 so I'm not sure what all the objectives were of the
21 meeting.

22 Q Who called it?

1 A I don't know. Jim Penrose said,
2 "Hey, I'm taking you to this meeting."

3 Q Okay. And did you --

4 A So --

5 Q Did you fly in for that meeting or
6 were you already there?

7 A I was already in the vicinity, yeah.

8 Q And was there an agenda? Talking
9 points? Anything like that?

10 A Not at all. It was very impromptu.
11 I -- it was nothing like that. It was not
12 organized at all.

13 Q Was there anything resolved about
14 what would happen as a result of that meeting?

15 Any instructions or anything like
16 that?

17 A Nothing that I recollect. It -- it
18 seemed to me to be more status about, you know,
19 what anomalies were being found at different places
20 and what affidavits people were finding, or
21 whatever. And to be honest, I wasn't tracking on
22 any of the affidavit stuff. I was looking at

1 machines, listening for any problems with machines
2 so that I could try to determine if they were real
3 or not and -- and to get to the truth.

4 Q Were you aware that around that time
5 that a draft executive order was presented to the
6 President relating to Coffee County -- or that
7 mentioned Coffee County?

8 A I was not aware at that time.

9 Q And when did you become aware of
10 that?

11 A More recently there's been some
12 videos out there and people talking about that sort
13 of thing, and that's when I became aware of some --
14 I think they mentioned some sort of executive order
15 that was drafted. The first I heard about that was
16 in literally the last couple of months. I believe
17 it was maybe even -- yeah, it was the last couple
18 of months. It's been recent. I -- I had no ideal
19 about an executive order. Sorry.

20 Q What was the discussion in that
21 meeting about what executive action might be taken
22 relating to the subject matter of the meeting?

1 MR. CLEMENTS: Objection.

2 Foundation.

3 BY MR. BROWN:

4 Q You need to answer.

5 MR. CLEMENTS: If you can.

6 I don't think you've established a
7 foundation, Bruce. We're a little confused.

8 THE WITNESS: Can you reword the
9 question maybe?

10 BY MR. BROWN:

11 Q Yeah.

12 What discussion, if any, was there in
13 that meeting which you attended was there relating
14 to any executive action that might be taken with
15 respect to the subject matter of the meeting?

16 MR. CLEMENTS: I want to be clear,
17 what do you mean by "executive"? I think we need
18 to flesh that out, Bruce.

19 BY MR. BROWN:

20 Q Well, are you -- you're familiar with
21 the three branches of government, right?

22 MR. CLEMENTS: I understand, but some

1 people -- we have executives and that might be a --
2 you know, the order of a meeting, but when I hear
3 the word "executive," I'm trying to distinguish for
4 Mr. Lenberg what you mean.

5 MR. BROWN: It's actually a very good
6 objection.

7 BY MR. BROWN:

8 Q I mean the executive branch, not like
9 the CEO objective. I mean the executive branch.

10 Was there any discussion about what
11 the executive branch might do with respect to the
12 elections?

13 A So you mentioned the executive order
14 a minute ago. So that's executive branch, right?
15 So --

16 Q That's correct.

17 A -- I was not aware, nor do I
18 recollect any discussion in that meeting about
19 anybody creating an executive order. I -- I was --
20 I did not hear that. I was not aware of that in --
21 in that meeting.

22 Q Apart from creating the executive

1 order, was there any discussion about any action
2 that might be taken by the executive department
3 relating to the elections? The executive branch, I
4 should say.

5 A I can't recall the specific
6 discussion in that meeting. I -- I -- you know,
7 I -- I would be speculating if I said something. I
8 can't recall any specifics.

9 Q Was there any discussion about
10 seizing voting machines?

11 A Not that I recollect.

12 Q Was this meeting at the Willard
13 Hotel?

14 A No.

15 Q Was it -- and it wasn't a government
16 building?

17 A No.

18 Q Was -- was a man by the name of Bill
19 Ligon, L-I-G-O-N, there, if you know?

20 A I don't know that name.

21 Q Was Rudy Giuliani there?

22 A No. I would have recognized him.

No.

Q How about Preston Haliburton?

A I don't recognize that name.

Q How about Peter Shara, S-H-A-R-A?

A I don't recognize that name.

Q How about Phil Waldron, was he there?

A I don't know.

Q He might have been?

A Possibly, but I -- I can't say either way.

Q Okay. And I think -- I don't recall -- we started talking about this, but you did not meet Mr. Logan there, correct?

A I -- actually, I did meet Mr. Logan. I believe he was at that meeting.

Q Okay. He was there.

A I believe he was, but I can't say for certain. I'm sorry. I did meet him in that time frame through Jim Penrose.

Q And then at some point you and Mr. Logan were dispatched to Coffee County, correct?

1 A Correct.

2 Q And you flew to Coffee County, right?

3 A Uh-huh. Flew and drove.

4 Q Okay. Now, looking at Exhibit 3,
5 which is the Signal exhibit that we pulled up.

6 A Uh-huh.

7 Q Do you have that in front of you?

8 A Uh-huh.

9 MR. CLEMENTS: We have the -- there's
10 multiple pages, Bruce. Are we on page 1?

11 MR. BROWN: We are.

12 MR. CLEMENTS: Okay.

13 THE WITNESS: Yes. Uh-huh.

14 BY MR. BROWN:

15 Q And do you see your text message
16 right in the middle of page 1 where you say, "I am
17 now in Coffee County," right?

18 A Uh-huh. I do. Yes, I do.

19 Q If you go down one line, it's on
20 the -- also on the 17th. You -- you say, "It will
21 be Monday evening. She thinks that she can do it
22 then." Do you see that?

1 A Yes, I do.

2 Q And the "she" is -- is Misty Hampton?

3 A I believe so.

4 Q And what does the "it" refer to in
5 that sentence?

6 A To be able to do some testing with
7 her machines at -- at -- you know, under her
8 control. And obviously we were trying not to
9 impact her normal work schedule also. She had
10 plenty of work to do, so we were trying to be
11 accommodating.

12 Q Okay. Let's skip to page 8 of
13 Exhibit 3. Sadly, these messages are not in -- in
14 date order, they're in order of the thread name.
15 So we're going to have to skip around a little bit.

16 A Uh-huh. I see some 1/17/21. What --
17 what particular message are you -- do you want us
18 to look at?

19 Q Right in the middle of the page, you
20 will see a January 16, actually, a text -- Signal
21 message from you. Do you see that?

22 A Yes, I see that.

1 Q And you're saying, "I'm planning a
2 trip to met up with Misty in Coffee County.
3 Leaving tomorrow." Do you see that?

4 A I do, yeah.

5 Q And then in the next line, Mr. Logan
6 says, "For your interest, she's in that group
7 you're riding in."

8 A Uh-huh.

9 Q Do you know what that refers to?

10 A There was a Signal group that I -- I
11 don't know everybody that was on it, but at one
12 point in time there was a Signal group that Doug
13 and -- at least Doug and Misty and I were in, and I
14 don't know who else was.

15 Q Okay. So you -- so the record
16 reflects that the next day, on the 18th --

17 A Uh-huh.

18 Q -- you actually visited the Coffee
19 County Elections, correct?

20 A I believe that's correct.

21 Q And what is your understanding of the
22 authorization that you had to do what you were

1 doing in Coffee County?

2 A Well, my understanding is that
3 Ms. Hampton was the election supervisor for the
4 county and that she had full authority -- as long
5 as she kept everything under her chain of custody,
6 that she had full authority to test her machines or
7 get consultants to come in to help her look at what
8 her machines were doing that she was concerned
9 about.

10 And so as I already mentioned, there
11 had been a couple of major anomalies raised and as
12 a result, she was interested in having expert
13 consultants, like Doug Logan and I, come in and
14 help see if we could figure out possibly what the
15 anomaly might have been about.

16 Q So were you working for her or was
17 she your client, as it were?

18 A I don't know how to answer that.
19 It -- it was a volunteer thing. I did not -- you
20 know, they didn't pay me, no one paid me. Okay?
21 So to be there, I was volunteering as an expert
22 trying to help, trying to learn at the same time

1 about these systems and trying to understand so we
2 could figure out is there a real problem with the
3 machines or is there not. That's what we were
4 trying to determine at the time.

5 So it was my understanding that she
6 had full authority to be able to test her machines.
7 She runs logic and accuracy testing just like
8 everybody else does, so running an additional test
9 and allowing us to observe it did not seem to be
10 improper at all.

11 Q Now, the -- I'm not suggesting that
12 this was necessary, but I just need to ask you.
13 You didn't have like a court order allowing you to
14 do this, did you?

15 A There was no court order to do it.

16 Q And were you doing this pursuant to
17 any kind of engagement with a lawyer?

18 A I did not have any specific
19 engagement with a lawyer.

20 Q It was your understanding, I take it,
21 that -- that Misty's authorization was sufficient
22 for you to have permission to enter the Coffee

1 County Election's Office and work with her on the
2 election systems, correct?

3 A That's correct. In fact, I've done
4 that several places in the country. It's -- it's
5 not a problem. All election offices are in -- you
6 know, have a locked door to get into them. And I
7 have visited across the country with -- with
8 different election officials, never had any concern
9 about that. As long as they bring you in, right?
10 If they bring you in and they escort you so that
11 they have full chain of custody. Obviously, you're
12 on video and so on.

13 Q And did you have an understanding of
14 whether Misty had authority to give you that
15 authority?

16 A Please reword the question.

17 Q If you were -- she is employed by the
18 Coffee County Elections and by -- and reports to
19 the Coffee County Board of Elections, right?

20 A That's right.

21 Q You knew that, right?

22 A Yes, that's correct.

1 Q And do you know if the Coffee County
2 Board of Elections or any of the board members
3 approved her giving you authorization to do your
4 work there?

5 A I do not know.

6 Q Did you ask?

7 A I don't recall asking that question.

8 Q Did you --

9 A Again, it was based on the fact that
10 they do logic and accuracy testing. I've observed
11 it in other locations. This was really no
12 different than visiting any other election office,
13 as far as I was concerned, to be able to observe
14 the testing.

15 Q And did you touch the equipment
16 yourself?

17 A I did not. Neither did Doug Logan.
18 We specifically when we went in said, "Look, we're
19 here to help. We don't want to break any chain of
20 custody in any way, so we will be very careful not
21 to, you know, be in any of your space unescorted.
22 And we are not going to operate your equipment."

1 So they operated -- Misty operated her equipment,
2 the ICP, the ICC, and so on. We did not, Doug and
3 I did not.

4 Q Well, she operated it pursuant to
5 your instructions, correct?

6 A We helped develop test criteria for
7 her in trying to be able to repeat the -- the issue
8 that she saw on -- during the runoff election.

9 Q Right, but she --

10 A So we guided her testing, yes. We
11 guided her testing. We gave her recommendations.

12 Q And she followed them?

13 A Yes.

14 Q Was there any instance in which she
15 refused to do something that you asked her to do
16 with respect to the election equipment?

17 A Not -- that's -- that's a strange
18 question. It's -- I'm trying to -- I'm not -- can
19 you reword the question?

20 Q Yeah.

21 Did there ever -- you're giving her
22 direction or you're talking about different things

1 she should do with the equipment.

2 A Uh-huh.

3 Q Did she ever say, "No, I'm not going
4 to do that for you"?

5 A I don't recollect asking her to do
6 anything that she -- that she had to say no to. I
7 don't believe I did. I mean, we were -- we didn't
8 ask that, yeah. So I think the answer to your
9 question is no.

10 MR. BROWN: Yeah. Let me mark as the
11 next exhibit, which I believe is Exhibit 4, Tab 7.

12 (Lenberg Deposition Exhibit Number 4
13 marked for identification.)

14 MS. MARKS: Okay. Bruce, I'm doing
15 it now, so hold on just a second.

16 THE WITNESS: We're still waiting for
17 it to come up.

18 MS. MARKS: It should be up.

19 MR. CLEMENTS: We got it.

20 THE WITNESS: I think we got it.

21 MR. CLEMENTS: Okay. It's up.

22 THE WITNESS: We see it.

1 BY MR. BROWN:

2 Q And is this the official election
3 bulletin, November 17th, 2020?

4 A I have no idea.

5 Q Well, I'm just making sure we're
6 looking at the same thing.

7 A Oh, yes. It says at the top,
8 "Official Election Bulletin, November 17th, 2020."
9 I see that.

10 Q Okay. Have you seen that document
11 before?

12 A I don't believe so.

13 Q Okay. This is from the Elections
14 Division Director, Chris Harvey, to County Election
15 Officials.

16 A Uh-huh.

17 Q Do you see that?

18 A I see who it's to, yeah.

19 Q And were you aware of any of the
20 regulation or laws that Mr. Harvey cites in this
21 memo?

22 A I haven't read the memo.

1 Q Go ahead and take a look at it.

2 A Okay. I'll have to get a little
3 closer to the exhibit computer here, give me just a
4 second.

5 MR. CLEMENTS: Take your time.

6 THE WITNESS: Being old also means
7 that I don't have great eyesight.

8 Okay. It's just over a page long.
9 Is that correct?

10 BY MR. BROWN:

11 Q That's correct.

12 A Okay. There's a mouthful there.
13 I'll have to refer to it.

14 Q I'll just focus your attention to the
15 last paragraph on page 1 --

16 A Okay.

17 Q -- starting with "Additionally." Do
18 you see that?

19 A Yes, I do.

20 Q And it states, "Documents or
21 information that if made public would endanger the
22 security of any voting system used or being

1 considered for use in the state or any component
2 thereof, including, but not limited to, electronic
3 ballot markers, DREs, ballot scanners, pollbooks,
4 and software or databases used for voter
5 registration shall not be open for public
6 inspection except upon order of a court of
7 competent jurisdiction."

8 Do you see that?

9 A I do.

10 Q Now, you were given access to
11 electronic ballot markers, correct?

12 A No. I don't know what an electronic
13 ballot marker is.

14 Q To the BMDs?

15 A No.

16 Q To scanners, you were, right?

17 A Well, not -- I mean, I -- I observed
18 them, but anybody in the public can observe the
19 scanners during logic and accuracy testing or other
20 times they visit an election supervisor.

21 Q And the pollbooks, right?

22 A Same thing, yeah. I visually

1 observed the pollbooks, correct. I was not given
2 access to the data.

3 Q And the software, you've had access
4 to the software, right?

5 A No, that's not correct either. I did
6 not have access to the EMS software.

7 When you say "software," we have to
8 be very careful what you mean by software.

9 Q I'm not -- I'm not being clever. Do
10 you think you had access to the software?

11 A I did not have access to the
12 software, the EMS software or the ICC software. I
13 did not have access to that.

14 Q Did you ever gain access to that?

15 A Not that I know of.

16 Q Did you ever get the --

17 A I -- go ahead.

18 Q Did you ever get access to what
19 SullivanStrickler copied and put on the internet --
20 or put on their ShareFile, I should say?

21 A There's an e-mail that we included
22 in -- in the -- the exhibits that we sent you that

1 I -- by the way, I was not involved in the forensic
2 imaging that apparently SullivanStrickler did.

3 I -- you know, I found out about it after the fact
4 even that it was done.

5 But in the e-mail, when I was
6 searching to find anything related, what I found
7 was a message that -- that a disk drive from
8 SullivanStrickler requested by Penrose and
9 Stephanie Lambert was being sent to Michigan, and
10 that disk went to Michael Lynch. Michael Lynch
11 brought it over to the location I was at. I had a
12 safe for safekeeping of any items. It was put in
13 the safe.

14 At some time, they asked me to make a
15 copy of that, which they -- I do not know what they
16 did with it. It was provided to them to do
17 something with it, but I was directed by Lambert
18 and Lynch to make a copy. And then Michael Lynch
19 retrieved the -- that disk that was sent. And he
20 took it for safekeeping somewhere else. So it was
21 gone from my possession.

22 Q Okay. So you had possession of that

1 disk, made a copy of it, gave it to them, and then
2 gave the original back, right?

3 MR. CLEMENTS: I need to object
4 really quick. I want to make sure we're talking
5 about Michigan now. So can you be a little more
6 precise on what disk, pertaining to what exactly?
7 We've been talking about Georgia for the past hour
8 or so.

9 MR. BROWN: Excellent point.

10 BY MR. BROWN:

11 Q You were talking about Georgia's
12 system that you got from Lynch, correct?

13 A It was the e-mail that I was
14 referring to. So it was the e-mail Coffee County
15 forensic FedEx request. I was not involved in the
16 chain until the very end because they wanted me to
17 make a copy, which they were going to do something
18 else with.

19 They sent me the password to be able
20 to unlock it because it was encrypted. And so for
21 me to be able to copy it, I needed to unencrypt it,
22 give them a copy, you know, properly and -- and

1 then gave them the disk back.

2 Q And you don't -- and you don't know
3 what they were doing with it?

4 A I do not know where it went.

5 Q And you don't know what they did with
6 it?

7 A No, I don't know what Lynch did with
8 it. I do know he took it back in his possession.

9 Q And who is Lynch?

10 A Michael Lynch worked with Stephanie
11 Lambert. I believe he's kind of a private
12 investigator, that even before the elections was
13 working with Stephanie Lambert. And once Stephanie
14 got involved in the election stuff, I believe Lynch
15 was kind of her right-hand man, so doing stuff for
16 him -- for her.

17 Q And your understanding is that he --
18 or he told you he put what you had given him in a
19 safe of some kind. Is that right?

20 A He did -- I don't know where he put
21 it.

22 Q Did you ever -- getting back to

1 Coffee County and the issue of authorization. At
2 any time, did you communicate with anybody on the
3 Board of Coffee County Elections about the work
4 that you did in Coffee County?

5 A I did not.

6 Q Do you know Eric Chaney?

7 A I do not.

8 Q Have you ever spoken to Eric Chaney
9 or communicated with him?

10 A I have not.

11 Q Do you know who he is?

12 A I've heard the name in association
13 with Coffee County Board of Supervisors recently.
14 I mean, I didn't know any of those people back at
15 the time when I was there.

16 Q Okay. Let's go back sort of
17 physically to your work at Coffee County. So you
18 were there on the 18th?

19 A Uh-huh.

20 Q You and Mr. Logan went into the
21 election office, correct?

22 A Correct.

1 Q Who else was there?

2 A Ms. Hampton was there and I believe
3 there was an office worker there. It's a small
4 office in that her office has a secretary or an
5 admin person, something like that. And I don't
6 know the person's name. I'm sure I was introduced.
7 And so she was there, you know.

8 Actually, part of the chain of
9 custody was good to have someone there, because in
10 the video that was leaked out to the Washington
11 Post and CNN that was used to basically accuse me
12 of doing bad things in Coffee County, if you look,
13 that person was sitting over in the corner at their
14 desk in that room when I went in. That's on video.

15 And, of course, I knew it was on
16 video. You know, I am a security vulnerability
17 guy. So I -- I wasn't doing anything untoward or
18 that any citizen -- normal citizen couldn't do.
19 Anybody could do that without any kind of court
20 order or subpoena.

21 Q Well, it's odd the way you said that,
22 it was leaked to the Washington Post, that this is

1 a video that you knew was being taken. And it
2 wasn't leaked, it was produced by Coffee County,
3 right?

4 A Well, apparently my understanding, I
5 watched part of a podcast that I believe you were
6 on and -- and Marilyn Marks was on, and during that
7 podcast, there was some discussion about how hard
8 it had been for you to get access to the security
9 video, that it had been very difficult. And that
10 you finally had gotten access to it, and that going
11 through that video you just happened to find some
12 people in the office, particularly me and Doug
13 Logan.

14 And that that went out -- that
15 information that you acquired somehow ended up in
16 the hands of the Washington Post and CNN, both of
17 which wrote pieces that I believe created a false
18 narrative that Doug Logan and I were bad guys doing
19 bad things. And that's -- that was the way those
20 pieces were framed.

21 Q I want to address your false
22 narrative in which you said it was leaked. Don't

1 you -- when you say it leaked, don't you mean that
2 it was disclosed improperly?

3 A I don't --

4 Q Is your -- is your testimony that
5 giving it to the newspaper is improper?

6 A Well, I don't know.

7 Q Okay.

8 A I'll take it back. I do not know.
9 All I know is that you folks said it was very hard
10 to come by.

11 Q Right, so --

12 A And security video should be a little
13 bit hard to come by. And once you had it in your
14 possession, somehow the Washington Post got it.
15 Maybe they requested it from Coffee County. I
16 don't know. I did --

17 Q No, they did not request it from
18 Coffee County.

19 A Okay.

20 Q You take back the word "leaked,"
21 right?

22 That was -- that was --

1 MR. CLEMENTS: Bruce, if we're going
2 to start doing this, we certainly need to take back
3 the word "breach," because we're talking about
4 Ms. Marks, who actually used that term. And from
5 our standpoint, that is implication of a criminal
6 act. That's defamatory, per se.

7 MR. BROWN: I don't know if that
8 happened. And ever since first year of contracts,
9 the word "breach" is used in a civil action, not a
10 criminal one.

11 MR. CLEMENTS: It denotes
12 unauthorized access. And it's unauthorized,
13 then -- then that's the suggestion.

14 MR. BROWN: Right.

15 MR. CLEMENTS: That was the headline.
16 So let's just move on from this bickering over
17 "leak" versus "breach."

18 BY MR. BROWN:

19 Q But the video is a public record,
20 unlike what you were working on in Coffee County,
21 right? Fair to say?

22 A Yeah, but let's put it -- yeah, go

1 ahead.

2 Q All right. There -- you were
3 there -- we got offtrack because you brought up the
4 idea of the security video and incorrectly stated
5 that it was leaked.

6 But let me get back to where we were;
7 and that is you went into the election office on
8 the 18th.

9 A Uh-huh.

10 Q Walk me through what you did with
11 Misty Hampton, not -- what I want to do is -- well,
12 let me back up and make this easier.

13 You were there on the 18th and the
14 19th, correct?

15 A Correct.

16 Q And then you, but not Mr. Logan, came
17 back the next week, correct?

18 A That's correct.

19 Q You were there from the 25th to the
20 29th, correct?

21 A I think -- I don't remember the exact
22 hours, but a little bit each day, I believe, I was

1 back there.

2 Q Okay.

3 A Uh-huh.

4 Q Walk me through what you and
5 Mr. Logan and then what you, yourself, did in the
6 election office in Coffee County.

7 A Okay. To the best of my
8 recollection, I will. I didn't keep, you know,
9 detailed minute-by-minute notes, so it'll be, you
10 know, as good as I can recall.

11 So on the 18th, again, we went there
12 because of this -- what we considered to be a major
13 anomaly, trying to determine if it was a real issue
14 or not. The desire was to try to have them run
15 testing on the equipment at our suggestion,
16 recommendation, to see if we could reveal or get
17 anomalies to occur. And so that's what we did.

18 So we showed up there. The -- if I
19 recollect correctly, and I'm pretty sure I do, the
20 ICPs, the slow-speed tabulators, needed to have
21 QR-coded -- well, they can read either type of
22 ballot, but I believe what was done was Misty got

1 on her BMD, an ICX that she had there, and she
2 created a number of ballots. I believe she created
3 like 20 for Biden and 20 for Trump, if I remember
4 correctly.

5 Meanwhile, she got out, I believe, 40
6 blank ballots that were left over from the 2020
7 election, and we helped fill out those ballots by
8 hand. And those were the ballots that were used to
9 test the ICC. Where typically the ICC will be
10 running absentee ballots that are not made on a
11 BMD, they're made -- you know, filled in by hand.
12 And so we purposely created paper ballots by hand.
13 And then they were used for the testing.

14 And so what happened was the ICP
15 testing, I believe, if I recollect, Misty's
16 daughter, and I don't remember her name, but she's
17 an election trained official. She actually runs
18 one of the precincts there, or did at that time,
19 run one of the precincts during the election, she
20 came in to assist. And she ran the ICP, while Doug
21 observed that, and Misty Hampton ran the ICC, while
22 I observed that.

1 And we basically ran lots. When you
2 do testing like this, you've got to get statistics
3 right, so you run batch after batch after batch.
4 And we were running the same ballots over and over
5 and over and over, which by the way is an
6 interesting thing to note is we learned a lot of
7 things.

8 Coffee County was a great learning
9 experience to begin to understand our election
10 systems and the concerns with it. And one of them
11 that was-- would surprise most voters in the
12 country is that you can take a ballot, any ballot,
13 and you can run that same ballot through a machine
14 thousands of times and it will not object at all.
15 It does not know that it's not -- it does not know
16 that it's the same ballot being run over and over.

17 So if you take a high-speed scanner,
18 for example in Maricopa County, and -- and you just
19 run that over and over, or the video that we saw in
20 Fulton, where -- where observers were not there and
21 it was being run, or in Michigan there was
22 testimony of an observer watching a machine

1 operator run the same set of ballots multiple
2 times. So anyway that was a surprise to us that we
3 could do that, so -- but we did it. And it worked
4 successfully. And we discussed statistics.

5 And then we ended up at the end, Jim
6 wanted a brief summary of our findings. We didn't
7 write formal reports. We just wrote up -- because,
8 of course, we were drinking from a firehose at that
9 point and looking at anomalies and hearing about
10 anomalies all over the place. So we wrote brief
11 reports, which you have copies of, the ICC report
12 and the ICP report.

13 I apologize if they aren't pretty.
14 They seem to be like stuff missing or whatever, but
15 it's not missing. That was what I had, that's the
16 actual report. It wasn't intended to be put out to
17 the press, it was intended for a quick note back to
18 Jim Penrose.

19 MR. BROWN: Let's go ahead and mark
20 as Exhibit 5 Tab 9, which is Mr. Lenberg's Coffee
21 County ICC and ICP reports.

22 THE WITNESS: Yeah. And they are

1 very brief. They are.

2 (Lenberg Deposition Exhibit Number 5
3 marked for identification.)

4 MR. CLEMENTS: We are waiting for it
5 to load.

6 BY MR. BROWN:

7 Q While that's loading, you described
8 you -- so you created the ICP ballots from the BMD?

9 A Misty did, Misty Hampton.

10 Q Misty did. I'm sorry.

11 And then I think Misty also found
12 extra blank ballots that were used -- that you
13 filled out by hand that you used for the ICC?

14 A That's correct. Correct.

15 Q And then you ran a number of tests to
16 determine whether and to what extent the ballots
17 were rejected or reversed, correct?

18 A Yeah. It was different for the ICP.
19 The ICP would reverse them. The ICC would just
20 stop. So the ICC doesn't have the capability of
21 reversing. What it does when it doesn't like
22 something is it just stops.

1 And then on the computer associated
2 with it, the scanner stops on the computer. It
3 gives you a message that says, "Oh, there's a
4 problem with ballot X, Y, Z, you are going to have
5 to go back like three ballots or something."

6 Because it actually before -- because
7 it's being processed on the ICC computer and not on
8 the scanner, the scanner actually keeps going for a
9 little bit past when it finally detects that there
10 was a problem with the ballot. So that means --
11 because it's high speed. That means you have to
12 actually be very careful to get back to the point
13 where the objection was, the ballot that had a
14 problem, otherwise you can easily miscount the
15 ballots.

16 And so that's one of my, by the way,
17 vulnerabilities of the system. It is -- it is not
18 easy for the operator -- when a problem occurs with
19 a ballot that the software detects, it is not easy
20 to get it back to the correct ballot. It's -- it's
21 error prone, let's put it that way. It's certainly
22 error prone to get back to the correct ballot.

1 Q And then let's go ahead and look at
2 your report if that's pulled up yet.

3 A Okay.

4 Q And do you see it?

5 A Which one -- yeah, we do.

6 Which one?

7 Q Let's go to the ICC one first, if we
8 could.

9 A Okay.

10 Q Which is the last page.

11 A Yeah. The ICC one is the one I
12 wrote. Doug wrote the other one.

13 Q Okay.

14 A I'm a man of few words. I only have
15 one page.

16 Q If you look at the results, which I
17 want to go to, you state, "The scanner worked
18 extremely well with no rejects for almost all of
19 the configurations that we -- that were run over a
20 several-hour period. Midway through the testing,
21 we reconfigured the ICC to have a date of
22 November 5th instead of the current date."

1 Do you see that?

2 A Yes, I do.

3 Q And why did you change the date?

4 A The reason I did that is, again, I'm
5 a testing expert and I'm also a vulnerability
6 spotter expert, if you will, assessment, and -- and
7 I'm an expert in that area. So one of the things
8 that a bad actor would do potentially is use the
9 date as a trigger. Okay? So they -- they would
10 potentially us a date.

11 So, for example, they could say --
12 they could put in the firmware, you know, prior to
13 November 3rd, worked perfectly, and then on and
14 after November 3rd, for a period of time do the
15 subversion that's built in. And, oh by the way, if
16 40 days goes by, or whatever the canvassing period
17 is, go back to working perfectly.

18 So that was the reason it dawned on
19 me, wait a second, it's been working perfectly all
20 this time. And, again, we were trying to see if we
21 could get it back into the state where it was
22 misbehaving on the -- during the runoff.

1 And so it crossed my mind that, wait
2 a second, it may be date dependent, so let's
3 reverse the date on the machine. I asked Misty to
4 do that, to set the date back to November 5th, so
5 that it would be within a reasonable period of time
6 of the election in case that was being used as a
7 trigger mechanism.

8 Q Why didn't -- why did you pick the
9 5th instead of the election day?

10 A I wanted it to appear as a recount,
11 right? So that's why. Instead of the original
12 election day, I -- I was -- look, if -- if -- a lot
13 of people don't realize the way that recounts are
14 done in most of the states, they will label them as
15 a manual recount. It turns out most states that do
16 manual recounts don't do manual recounts, they just
17 call it a manual recount.

18 What they mean by -- even the state
19 law in New Mexico is that you take randomly 100
20 ballots out of the actual ballots that were voted,
21 or so, and it's usually a small number, like 100 or
22 125, 150, and you manually score those.

1 You set up the election. You run
2 those 100 or 150 through. You compare it to the
3 hand scoring. If they agree, then you start all
4 over and run thousands of ballots through that
5 machine. You set up a new election and -- and you
6 run thousands through the machine.

7 The problem with that is that if
8 there's a trigger level, that's not going to catch
9 it. And obviously, you've got to be able -- if --
10 if a recount is done, your machines better -- and
11 if they're misbehaving, you need them to misbehave
12 the same way they did on election night. And so
13 that is why I picked something close, but not
14 exactly election.

15 Does that make sense? Have I
16 confused you? That is pretty techy, but have I
17 confused you?

18 Q No, I understood it, but it seems
19 like if you were trying to detect if there was a
20 subversion when the votes were counted, you would
21 date it when the votes were counted first.

22 A Well, keep in mind that they did do a

1 manual -- I mean, they did a machine recount, and
2 apparently -- you said apparently the number came
3 out correct.

4 Q Not on the machine recount, on the
5 hand recount.

6 A Oh.

7 Q What you were doing --

8 A I'm sorry, I'm confused.

9 But in any case, I don't remember the
10 exact reason why other than I was trying to do
11 something close to the election, but not the
12 election, to make sure I was in what might be a
13 window in which a subversion was authorized or --
14 or not authorized, but triggered, if you will.
15 Let's call it triggered.

16 I looked for triggers on -- on if the
17 firmware were subverted, anybody that creates
18 something like that would have to create the proper
19 trigger mechanism so that they could defeat logic
20 and accuracy testing and survive a machine recount.

21 Q Right.

22 But your trigger here was after the

1 actual election night, correct?

2 A That's correct.

3 Q Okay. And you -- you asked Misty to
4 change the date in both the EMS and the ICC,
5 correct?

6 A I believe so.

7 Q And did you ask her after your
8 testing was done to reset the clock?

9 A I did. To my recollection, I did. I
10 asked her to set it back.

11 Q Okay. And do you know if she did one
12 way or the other?

13 I mean, did you see her reset it?

14 A You're asking me detail that I --

15 Q You don't remember?

16 A I don't remember.

17 Q Okay. Did you think that it was
18 necessary for you to obtain -- or Misty to obtain
19 any additional authorization to change the clock on
20 the EMS server?

21 A No.

22 Q You say after you mention in your

1 report -- or the same sentence -- well, you say,
2 "Through the testing we'll reconfigure the ICC to
3 have a date of November 5th instead of the current
4 date."

5 A Uh-huh.

6 Q Okay. And then you report that you
7 happened upon a set of scanner configuration
8 parameters. Do you see that?

9 A Yes. Yeah. So what happened was --
10 MR. CLEMENTS: Let's stop. Is there
11 a question?

12 THE WITNESS: Yes, what's the
13 question?

14 MR. BROWN: I was about to get it --
15 I was about to get to it. Thank you, Mr. Clements.
16 BY MR. BROWN:

17 Q You say, "We happened upon it." Did
18 those scanner settings just appear or did you run
19 through -- did you have her run through different
20 configuration parameters?

21 A I'm trying to think if that is a
22 multiple question or not, but --

1 Q So you say, "We happened upon it,"
2 sort of like the British expression, "It went
3 missing." You know, it's like how -- how did you
4 happen upon a set of scanner configuration
5 parameters?

6 A Yes. So let me explain. So I had
7 access through Misty there to the manual that
8 explained how that system works. So I scanned
9 through that looking for how it worked. Keep in
10 mind, I was trying to learn how these machines
11 worked so that I could find out if there was any
12 particular issue or not. These manuals, by the
13 way, are generally available on the internet. You
14 can go out and find manuals on -- on these machines
15 available on the internet.

16 So I looked through -- in fact, I
17 might have even looked through one before I showed
18 up there. I can't recollect, but I spotted a
19 couple things that were odd. And this is a strange
20 thing about the way my brain works, is I look
21 outside the box by default. So most people look
22 inside the box. I look outside the box. That's

1 both a blessing and a curse.

2 But anyway. So I looked for
3 anomalous things, things that don't make sense,
4 that shouldn't be there. And what I saw were two
5 different things, but one was that there was a --
6 there was a definition in there of how to change
7 the optical scanner settings. In other words, how
8 the scanner would scan.

9 So built into the Dominion software
10 is an interface to tweak the scanner settings, the
11 optical scanner settings. That was of great
12 concern to me. When I saw that, I thought this is
13 an extreme vulnerability, this should never be
14 available in a voting system.

15 And if it is required for some odd
16 reason, it should be totally buried, need very
17 strong passwords to get access to it, and very
18 limited number of people to have access to it.
19 Well, it turns out it was in there. And if you
20 were the administrator on a system like Ms. Hampton
21 was, she, it turns out, had access to it. And you
22 could tweak it. You could change those settings.

1 Now, the reason this is horrible to
2 even consider it being in a machine is that you
3 shouldn't be allowed to go in and change the way
4 votes are interpreted. I mean, the way that votes
5 are actually detected off the ballot. And that's
6 what this software purportedly allows you to do.

7 In fact, at the time there was a -- I
8 remember it, in late 2020 there was a news story
9 circulating that -- and maybe even before the
10 election, that the super -- that the Dominion
11 technicians were adjusting the sensitivity of
12 tabulators and scanners. And I thought that made
13 no sense at all. You shouldn't be able to adjust
14 the sensitivity. It should either detect the vote
15 or not detect the vote. And being able to tweak
16 the sensitivity of it made no sense to me at all.

17 And so that -- red flags are going
18 off. Okay? Alarm bells going off. This does not
19 belong here. All right? You can change the way
20 votes are actually detected if -- if -- if this
21 worked, if the software was actually doing
22 something. And at that time, I had already heard

1 the story about Dominion techs saying that they
2 were adjusting the sensitivity of the -- in the
3 press. I don't remember the exact articles, but
4 how the sensitivity was being adjusted on -- on how
5 ballots were being read. There's no reason to
6 design a voting system that way, a tabulator that
7 way.

8 So I was drawn to that. And so what
9 I did is I asked Misty to start changing those
10 parameters to see if they made any difference. So
11 there's a whole series of those parameters that
12 were changed. There were several parameters there.

13 In the note supplement that we sent
14 this morning that I came across -- sorry it came in
15 late -- but we did find some notes, you know,
16 working notes. And I sent photographs of those to
17 you this morning, or David did. In there, it
18 actually shows some notes where we -- I thought it
19 would be helpful for this conversation. I
20 suspected that it would come up that -- you know,
21 the actual parameters that we changed.

22 So like D skew was in there, contrast

1 was in there, sensitivity of -- light sensitivity,
2 or something like that was in there. Gamma. There
3 were a bunch of different settings that were in
4 there where you could change the way the optical
5 scanner was going to read the ballot, supposedly.
6 And I was surprised that Misty, through her admin
7 interface, could actually adjust it, but she was
8 able to.

9 So -- so we went through them one by
10 one and started adjusting them. And running
11 ballots. And by the way, at that point, somewhere
12 in there, I mean we ran quite a few ballots through
13 and that machine worked perfectly.

14 Just -- since it had been so-called
15 fixed, potentially remotely on -- during the
16 runoff, it worked perfectly. It was not stopping
17 on any ballots at all. It literally -- in fact,
18 Ms. Hampton commented she had never seen the
19 tabulator work that well. It had never worked that
20 well. And it was working extremely well.

21 So we were adjusting them. We
22 were -- she was checking them on the EMS to see if

1 it matched what we know we put in, because we had
2 20 Biden, 20 Trump. We would run 20 at a time, and
3 it was working perfectly as we adjusted down
4 through, as you'll see in the notes, several
5 different settings.

6 And then the last setting out of, I
7 don't know, half a dozen to ten settings that we
8 changed, was a very strange setting. It was
9 called -- well, it had to do with color pens
10 writing on the ballot.

11 So it turns out there's a setting
12 where you can say, ignore red, ignore green or
13 ignore blue or ignore none. And the default is to
14 ignore red. And the reason that's in there --
15 there's a good reason for that, is that sometimes
16 if election officials need to write on a ballot for
17 some reason and they will use a red pen typically,
18 and so having a setting that says "ignore red"
19 makes sense. You know, that you would want to have
20 the software ignore any red marks that are on
21 the -- the ballot. So we got to that one. It was
22 set to ignore red. We changed it to "none."

1 Now, keep in mind, to my knowledge
2 the ballots that we had didn't have any red on
3 them. I'm not positive, but I don't think any part
4 of the writing on there was red. But when we
5 changed it to "none" instead of "no red," it began
6 behaving, according to Misty Hampton's description,
7 exactly like it did on the runoff night. We no
8 longer could run a set of 20 Trump ballots through
9 without the machine stopping. We could regularly
10 run a set of 20 Biden ballots through without the
11 machine stopping.

12 And that occurred in our last hour,
13 hour and a half of testing. And if I remember
14 correctly, I think Doug Logan had some schedule
15 deadline for some reason that he had to leave and
16 so we wrapped up right there.

17 And -- but that was right towards the
18 end of the testing, we were able to get it back
19 into that mode. And then I believe I had Misty go
20 ahead and reconfigure it back to the correct
21 settings and -- and we left. So that was that
22 portion of the visit.

1 Q Okay. And so you went through a
2 number of different configuration parameters that
3 did not cause this anomaly, correct?

4 A That's correct.

5 Q Did any of the other parameters cause
6 other anomalies, like Biden getting rejected?

7 A No, not that I remember. I don't
8 recollect. In fact, I was surprised that changing
9 all of those other settings didn't seem to have any
10 impact on how the scanner ran. I was actually
11 surprised by that.

12 It was almost like, well, these are
13 dummies, they're not working. You know, if I
14 change the contrast way off scale or the light
15 sensitivity or the gamma or something, I expected
16 it to work -- you know, to break something, make it
17 work differently, but it didn't. It continued to
18 work properly.

19 Q But to sort of go back to the top,
20 the 2020 general election in Coffee County happened
21 on election day, they got the results that were
22 confirmed with one vote off in the hand recount --

1 A Uh-huh.

2 Q -- which would indicate that the
3 scanners didn't -- whether they functioned properly
4 or not --

5 MR. CLEMENTS: I'm going to object to
6 the form of the question, Bruce.

7 MR. BROWN: You know where I'm going,
8 David.

9 MR. CLEMENTS: Just opened --

10 BY MR. BROWN:

11 Q So that's the -- that's the -- so
12 election night in the hand recount, Coffee County
13 nails it exactly correctly with one vote off for
14 Jorgensen, and then --

15 MR. CLEMENTS: Objection to form.

16 BY MR. BROWN:

17 Q -- in the electronic recount, your
18 thesis is that Dominion made some kind of remote
19 change to the configuration parameters?

20 MR. CLEMENTS: Objection to the form
21 of the question. There are probably six
22 independent statements, and we're not getting any

1 answer from the witness as to each of those
2 statements.

3 BY MR. BROWN:

4 Q Your theory is that between the --
5 between or during the electronic recount, that
6 Dominion -- I guess my question is: The -- so at
7 some point between the general election, which as
8 far as you know, was flawless --

9 MR. CLEMENTS: Objection. That's not
10 his testimony.

11 BY MR. BROWN:

12 Q Well, you don't know of any flaws in
13 the general election, right?

14 A No.

15 Q Okay. Then let me -- so between the
16 general election, with respect to which you are not
17 aware of any flaws, and the electronic recount,
18 something was reset on the configuration parameters
19 to make the machine malfunction in the electronic
20 recount. Is that right?

21 A What I can tell you is what we
22 observed and -- and why we were there. We were not

1 there to try to determine if the count was correct
2 or not correct either for the election or the
3 recount. We were there because of the fact that it
4 appeared that that machine had been remotely
5 reconfigured. And that's what we were trying to
6 determine, if there was a possibility, if you could
7 even make it get into the mode where it misbehaved,
8 which we were able to do.

9 Now, if it was remotely reconfigured,
10 then keep in mind anybody that had that remote
11 access at any time before, during, after the
12 election, before the recount, after the machine
13 recount, you know, and so on, could have gone in
14 and done anything, including a complete download of
15 the EMS software.

16 So everything on there, the
17 CompactFlash cards, the results files, the election
18 files, everything, could have been downloaded.
19 It's an extreme vulnerability, I believe, that
20 these systems have -- apparently have, and that is
21 that the ICCs are hooked to the EMS, they
22 apparently have the ability to be remotely

1 accessed, which means off-scale vulnerability.
2 Anybody could download any software, any results,
3 any files, and reconfigure anything they want as
4 far as how the system is going to operate.

5 Q Now, the -- you looked at the -- you
6 had looked at the manuals -- or at some point, you
7 looked at the manuals describing the parameters.
8 Is that right?

9 A Yes.

10 Q Now, my question is: Why did you
11 have to be inside of Coffee County's election
12 office hands on to the equipment to be able to --
13 to --

14 MR. CLEMENTS: Objection. Lack of
15 foundation. Hands on, I believe the testimony has
16 been observation of Misty Hampton and the other
17 election worker.

18 MR. BROWN: Okay. A very refined and
19 excellent objection. Let me reframe my question.

20 BY MR. BROWN:

21 Q You described the -- the manuals that
22 Dominion has about the parameters, correct?

1 A Correct.

2 Q Given the information that is
3 publicly available, why did you need to be inside
4 of Coffee County directing or working with Misty
5 Hampton physically on the machines to be able to
6 detect this vulnerability?

7 A I have no idea how I would do that
8 remotely. I -- you know, have you ever tried to
9 help someone on a computer, you know, over a phone?
10 I've done that many times. It's very, very
11 difficult to try to help them.

12 You're saying that I could have
13 directed her how to change things over the phone?
14 Is that what you're saying?

15 Q No. What I'm saying is that having
16 you physically present is a material enhancement to
17 your ability to evaluate the vulnerability of the
18 system, correct?

19 A Because I could see what was on the
20 EMS screen. I could see the actual settings that
21 were on the screen, I could observe them, I could
22 observe the changed behavior or not changed

1 behavior. I can't do that over the phone or a Zoom
2 call.

3 Q Okay. We're going to take a break in
4 a few minutes to -- to get a bite, although I know
5 it's earlier there than here, but bear with me.

6 MR. BROWN: If we could mark as the
7 next exhibit, which is Exhibit 6, Tab 16.

8 (Lenberg Deposition Exhibit Number 6
9 marked for identification.)

10 MR. CLEMENTS: It's still loading.

11 THE WITNESS: By the way, you guys
12 might notice I keep looking up, I -- I have
13 graduated lenses.

14 MR. BROWN: I do, too.

15 THE WITNESS: And so you know the
16 behavior. I'm not trying to be, you know, in any
17 way condescending or anything. It's --

18 MR. BROWN: I want to -- I want to
19 make sure the court reporter doesn't note that as a
20 yes.

21 THE WITNESS: That's correct, that is
22 not meant to be a yes. It's I'm trying to read

1 something on the screen, and to do it, I have to
2 move my head around to get it in focus. So I --

3 MR. BROWN: This is off the record
4 just for a second.

5 (Discussion had off the record.)

6 BY MR. BROWN:

7 Q Just let us know when Exhibit 6 comes
8 up.

9 A We've got Exhibit 6.

10 Q The first -- the first page of
11 Exhibit 6 is your cover sheet, and then the second
12 page is your February 4 letter to Leah Rich. Do
13 you see that?

14 A Yes, I do.

15 In Pierce County?

16 Q Yeah. And she's in Pierce County.

17 A Uh-huh.

18 Q Your re clause there probably was
19 copied from an earlier letter is incorrect?

20 A Yeah, that's correct, yes, sir.

21 Q Okay. And you say that you are doing
22 independent research to help verify the accuracy of

1 the 2020 general election. Do you see that?

2 A Right. I'm trying to understand
3 whether it was accurate or not, whether or not
4 their anomalies had any bearing on the election.
5 That's what I was trying to do.

6 Q Yeah, but you -- I asked you that
7 specifically before and you said over and over
8 again that you were not there to verify the
9 accuracy of the election.

10 A Well, I wasn't there to verify the
11 accuracy of the vote count in the election. What I
12 was there to do is try to understand whether or not
13 the machines had any potential accuracy problems.

14 Because, keep in mind, the machines
15 that you use in Michigan -- or excuse me, you use
16 in Georgia are identical to the model that's used
17 in Michigan and other places. So anything I
18 learned, and could learn, from looking in Georgia
19 and understanding any anomalies would help me
20 understand how accurate the machines are in
21 counting votes.

22 The fact that in this particular

1 case, it didn't make any difference, it didn't
2 matter. There were major anomalies that we were
3 looking at trying to understand what those
4 anomalies really were and how they might
5 potentially be used elsewhere as well. So it
6 doesn't matter if they were used in that particular
7 case or not, we were trying to understand can the
8 machines be inaccurate, if you will.

9 Q Sure.

10 A Can they -- can they inaccurately
11 register the votes. That's what I meant by that,
12 not the overall vote tally in Coffee County or in
13 Georgia.

14 Q I understand.

15 And then you say the same thing to
16 Tracie Vickers, who's the county clerk in Coffee
17 County --

18 A That's correct.

19 Q -- if you go to the next page.

20 And then you -- to wrap up the first
21 visit to Coffee County, I may have some follow-up
22 questions to that, but you testified that it --

1 that you detected the anomaly with the red value
2 before --

3 A Right.

4 Q -- the end of the day on the 18th.
5 Fair to say? I'm sorry, the 19th.

6 A It might have been the 19th, that
7 sounds correct.

8 Q And then after that Mr. Logan had to
9 leave, correct?

10 A Yes. And I left at the same time
11 that he did.

12 Q And then you came back a week or
13 so --

14 A That's correct.

15 Q -- later, right?

16 A That's correct.

17 Q What did you do when you came back?

18 A Do you want a break before we get --
19 that could go for a while if you want. I don't
20 know that it will.

21 Q Just tell me generally and then we'll
22 break.

1 A Well, I came back. I was hoping for
2 an opportunity maybe to do some additional testing
3 to refine what we had learned, especially on the
4 ICC, and see if we could get it back out of that
5 state. Okay? We ran out of time there because it
6 took us almost the entire time that we had just to
7 get it to do something. We didn't find it until
8 the last hour and a half. So the hope was that we
9 could come back and do some additional testing with
10 Misty Hampton on that.

11 And also just taking the opportunity.
12 Keep in mind, I was learning about these systems at
13 that point, and Ms. Hampton is extremely -- was
14 extremely knowledgeable about her election systems.
15 And so I -- I was taking the opportunity to learn
16 as much as I could from her experience having
17 done -- her having done elections there for many
18 years.

19 Q But was the second visit -- did you
20 undertake any other testing?

21 A It turned out we were not able to.

22 Q Why weren't you able to?

1 A I -- I -- I'm not -- I don't
2 recollect exactly why other than I know Misty
3 got -- Misty Hampton got very busy, and so she was
4 only able to give me a little bit of time. And I
5 think -- I think we were trying to see about
6 getting access to those additional records. I know
7 it's dated at the end of the time I was there, I
8 put that in, but I think Misty maybe had made a
9 request to the Board or someone to see if I could
10 get the additional records, but --

11 Q But you were there like every -- you
12 were there like every day, not for the whole day,
13 but you visited every day that week. Is that all
14 you can remember about what you were doing that
15 week, Mr. Lenberg?

16 A That's pretty much it, was asking
17 Misty about things. That -- it's in that period
18 that she explained the pollbook to me. We talked
19 about that already. She showed me the pollbook,
20 she explained how it worked. She told us how they
21 used it in their setting in Coffee County. I'm
22 sure that was one of the visits. You know, it was

1 that kind of stuff she was explaining to me.

2 And also I think I was asking, you
3 know, "Did you get an okay to give me this
4 additional information?" And I think in the end
5 she said, "Look, just generate a memo, a records
6 request, put it in, and -- and we'll see what
7 happens." And I never got any result from that, by
8 the way.

9 So I think part of coming back was to
10 see if I could find out if -- if I had been able to
11 get access to the additional paper tapes and all of
12 that kind of stuff.

13 Q The stuff that we got overnight, what
14 was that?

15 A That was -- the zip file is a copy of
16 the CompactFlash cards from the election which
17 contains the system log files. And at that point,
18 I was extremely interested in those because of the
19 ASOG report up in Antrim, Michigan that came out.

20 That's how they detected the high
21 reversal rate on the ballots in Michigan, was
22 looking at those system log files. And so the

1 system log files are -- are on those cards.

2 I was just learning what was on those
3 cards. I expected them to be, you know, the
4 results from the election, was on those cards
5 because we all heard in the media about cards that
6 were found and then the results were tallied. And
7 so I, at that point, thought that they were result
8 cards, but then in that time frame, especially the
9 ASOG report, we learned about these system log
10 files that existed that had, you know, detailed
11 operation where every ballot is in the system log
12 file. And if it reversed, it's in there.

13 It, you know, gives a fair amount of
14 information. Nothing that's sensitive. In fact,
15 they don't encrypt that file. They do encrypt the
16 result files and they encrypt -- we found out later
17 that the election files were on there, and that's
18 the major concern. Those are encrypted also.

19 But the reason we hesitated in our
20 sending those to you until this morning was getting
21 approval from someone. Because after that, my
22 subsequent studies and work determined, as well as

1 Alex Halderman in the CISA report that was based on
2 his reporting. I believe, in your case, that this
3 year CISA put out a report, Alex Halderman. It's
4 in one of the Signal messages that Kevin sent me,
5 said it was based -- the CISA report was based on
6 his reporting of the flaws in the ICX.

7 And one of the things he said in
8 there was that the election files -- specially
9 crafted election files could basically allow you to
10 run any kind of election scope you wanted on an
11 ICX. Obviously, that's a huge vulnerability.

12 I disagree with the conclusion of the
13 ICX report, which says don't worry about it because
14 you'd have to get access to the EMS. That's
15 absolutely not true. And the reason I tell you
16 it's not true is that the election files are very
17 seldom created on the EMS. They're almost always
18 created by the voting machine company or one of its
19 subcontractors who creates the election files. And
20 they're encrypted before they come -- they come
21 through a project file that's delivered to your
22 county typically and delivered to your EMS.

1 They're already encrypted.

2 So that's one of my major points and
3 concerns that I learned in Michigan with election
4 files, is I claim that a bad actor can, by getting
5 access to the election designer software
6 application and putting a subversion into it that
7 spreads to all of the subcontractors in the
8 country, and there aren't that many of them that do
9 the election design and create the election files,
10 that you could subvert every tabulator through the
11 election files in the entire country that use that
12 company's election designer software.

13 And each company -- EMS has their
14 own, and I'm sure Hart does as well. So if you got
15 into two or three companies as an insider or broke
16 into them and got on their servers, you could
17 centrally manipulate the elections for the entire
18 United States. And it would literally take one
19 person to do that. Not thousands, not hundreds,
20 one person. And the local election officials would
21 have no idea. This local Secretary of State and
22 all -- it wouldn't require anybody in the county to

1 be aware of it at all. So that's one of my big
2 major concerns that I learned from my studies in
3 Michigan about election files.

4 And that's why I was so sensitive in
5 how we got those to you is because that would be my
6 concern is bad guys learning the structure of those
7 files and, thus, being able to manipulate them,
8 according to Alex Halderman, and according to
9 myself as well.

10 You've all probably seen the video
11 from May of 2021, I believe it's in the videos that
12 I sent you, that showed me flipping votes within a
13 tabulator. And it was done by modifying the
14 election file, just as Alex Halderman stated, you
15 can do it on an ICX.

16 Q You mentioned Dr. Halderman's report.
17 And you were -- I want to make sure I get the
18 direction in which you were critical, it might be
19 too strong of a word, but your opinion was
20 different than Dr. Halderman.

21 A My conclusion is different. I agree
22 with him. He is an expert. I agree with him on

1 the vulnerability.

2 Q But your -- your -- his conclusion,
3 you thought, was a little bit optimistic or a
4 little what?

5 A Actually, it wouldn't be his
6 conclusion. It's the conclusion of the EAC -- or
7 CISA, not EAC, but the CISA report. I don't know
8 who wrote the CISA report, but the CISA report
9 basically says, "Don't worry about this because
10 people would have to have access to an EMS to do
11 this subversion of the election files." And that's
12 absolutely not true.

13 Q Okay.

14 A That's absolutely not true.

15 Q Okay.

16 A In fact, that's a really hard place
17 to do it because the files are already encrypted
18 there. The best place to do it is before the files
19 are encrypted, and that is a central location.

20 MR. BROWN: Okay. Let's take a break
21 now for lunch. And if we can come back at 2:05
22 Eastern, or thereabouts.

1 THE WITNESS: Okay.

2 MR. BROWN: Is that all right?

3 THE WITNESS: Sounds good.

4 MR. BROWN: Thank you very much, sir.

5 THE WITNESS: Thank you.

6 (Recess from 1:05 p.m. to 2:06 p.m.)

7 VIDEOGRAPHER: Going back on the
8 record. The time is 2:06 p.m.

9 BY MR. BROWN:

10 Q Mr. Lenberg, we're back on the
11 record. I wanted to go back to some of my
12 questions. I used the term "hand recount" to refer
13 to the second counting of the votes in Coffee
14 County. I think the better term for that would be
15 the "hand-count audit."

16 Are you with me?

17 A Yeah. If I understand correctly, we
18 had the election, we had the machine recount, and
19 then we hand the hand count.

20 Q Yeah. That wasn't the sequence
21 though. It was the election, the -- it was the
22 hand-count audit. Do you understand that?

1 A No. I'm confused. I believe the
2 sequence, if I remember correctly, was
3 November 3rd, then first there was a machine
4 recount. Okay? And then I believe after that
5 there was a statewide manual recount, hand count of
6 the ballots using Arlo, is my understanding.

7 Q Okay. And you understand that the
8 result of the hand-count audit was very close to or
9 the same as election night?

10 A I believe that that's what was
11 reported in the -- in the press.

12 Q Okay. Now, the -- you testified
13 about --

14 A I would just add to that, I've
15 already mentioned it, but I'll mention it again, in
16 trying to verify that with batch sheets, various
17 people have shown that a quarter of the batch
18 sheets were missing. So that particular hand
19 recount, in my opinion, is very suspect and my own
20 personal dealing with Liberty County showed an
21 issue as well.

22 Q Let me -- I didn't ask you about any

1 of that, no offense. And I need to ask you --

2 A Well, you asked me if it was accurate
3 or not, right? If the --

4 Q I did this morning. I didn't just
5 now. I was --

6 A Well, I thought you did. What was
7 the question you asked?

8 Q Okay. So what you're -- what I'm
9 talking about is the terminology. Okay?

10 A Okay.

11 Q You understood that when I said "the
12 hand recount," I was referring to the hand-count
13 audit, right?

14 A Which would be the one that was done
15 with Arlo, correct?

16 Q I do not know. You need to ask them.
17 But your understanding of the
18 sequence was that the machine recount came last or
19 second?

20 A No. It -- it came first after the
21 election and then the -- a statewide hand recount
22 using Arlo was done after that, is my

1 understanding.

2 Q All right. Well --

3 A I may be wrong, but that's -- that's
4 my recollection.

5 Q Okay. Well, we'll move on.

6 You mentioned that you -- you
7 obtained a copy of what SullivanStrickler had
8 uploaded from Michael Lynch or Stephanie Lambert.
9 Is that correct? Did I get that right?

10 A Correct. Michael Lynch delivered
11 that to me. It was apparently shipped to him.

12 Q Okay. And how did he get it?

13 He got it from SullivanStrickler or
14 from Penrose?

15 A I -- I don't know where he got it,
16 other than what I see in the e-mail, that it was
17 being FedExed.

18 Q And what was your understanding of
19 Lynch's role in all of this?

20 What was he -- he was a PI for
21 Lambert?

22 A He is basically a PI for Lambert

1 doing, you know, whatever tasks she needed him to
2 do.

3 Q Okay. You mentioned your May 2021
4 video showing the vote-flipping. Do you recall
5 that?

6 A Yes.

7 Q Did you make that in Lynch's office?

8 A No.

9 Q Where did you make it?

10 A That was in Michael Lynch's
11 apartment.

12 Q Okay. Where did you get the ICP that
13 you used?

14 A It was the one that Michael Lynch
15 provided and Stephanie Lambert provided.

16 Q Did you notice anything that you
17 obtained from Coffee County? Configuration?
18 Information? Intelligence?

19 A No, absolutely none. That was all
20 Antrim obtained through the forensic image that the
21 court ordered in the Antrim case.

22 MR. BROWN: Let me mark as the next

1 exhibit Tab 10.

2 (Lenberg Deposition Exhibit Number 7
3 marked for identification.)

4 MR. CLEMENTS: Is this still
5 Exhibit 6 or are we looking at a new exhibit that's
6 being uploaded?

7 MR. BROWN: Tab 10 should be a new
8 exhibit.

9 MR. CLEMENTS: Still waiting on it.

10 BY MR. BROWN:

11 Q Okay. Just while we're waiting on
12 that, did you say where Lynch got the ICP from?

13 A I do not know exactly where he got it
14 from.

15 Q Do you know generally where he got it
16 from?

17 A Michigan somewhere. He acquired it.
18 He wasn't in the practice of saying where he got
19 the equipment from.

20 Q And do you know whether it was
21 lawfully obtained?

22 A I asked that question. I was told it

1 was lawfully obtained.

2 Q By who?

3 A By Stephanie Lambert.

4 Q All right. Has that come up yet, the
5 next exhibit?

6 MR. CLEMENTS: It's just come up.

7 MR. BROWN: And, Felicia, what number
8 are we at?

9 COURT REPORTER: I'm sorry, I wasn't
10 able to write it down.

11 MR. BROWN: Okay. I think it's 7 is
12 what I have.

13 COURT REPORTER: Let me check. Yes,
14 I think it's Exhibit 7.

15 BY MR. BROWN:

16 Q Looking at Exhibit 7, do you
17 recognize that as Doug Logan?

18 A I do.

19 Q Walking into the Coffee County
20 elections on January 19th apparently?

21 A I do.

22 Q And is that a Cellebrite mechanism in

1 his left hand?

2 A I don't know what's in his left hand.

3 Q You don't know what that is?

4 A No, I don't.

5 Q Did you all use a Cellebrite

6 instrument?

7 A I don't even know what a Cellebrite

8 is.

9 Q Do you know what a Cellebrite kit is?

10 A No, I don't know what it is.

11 Q You don't know what it's used for?

12 A No. I've never heard the term

13 before. Cellebrite? I never heard of it.

14 Q Okay. I want to get you back to the

15 next week, the 25th to the 29th.

16 A Okay.

17 Q You described talking to Misty

18 Hampton about the pollbooks and about different

19 things. It doesn't really give me a very full

20 picture of what you did for five days there or at

21 least portions of the five days. Did you do any

22 testing at all on anything?

1 A Not that I recollect. I -- I had
2 wanted to, but we -- she was too busy, I think.
3 Came in, she was -- gave me a little bit of time to
4 be able to ask her questions that I had come up
5 with about, you know, elections in Georgia, you
6 know, pollbooks, various things like that. But no,
7 to my knowledge, we did not do any additional
8 testing.

9 Q Did you ask her to show you how
10 equipment other than the pollbooks operated?

11 A Not other than -- let me think. Not
12 other than the ICC and ICP, which I've already
13 talked about in detail.

14 Q Let me go -- this may be going back
15 in time.

16 MR. BROWN: But if we could mark Tab
17 19 as Exhibit 8.

18 (Lenberg Deposition Exhibit Number 8
19 marked for identification.)

20 BY MR. BROWN:

21 Q You can scroll -- these are text
22 messages between Misty Hampton and Eric Chaney.

1 A Okay.

2 Q If we could scroll down to
3 January 19.

4 MR. CLEMENTS: Wait, first confirm.

5 BY MR. BROWN:

6 Q I'm sorry, it's right on the first
7 page, right in the middle.

8 MR. CLEMENTS: So what's the
9 question, Bruce?

10 BY MR. BROWN:

11 Q Do you see where she refers to -- she
12 says, "The guys measuring my desk are still here."
13 Do you see that?

14 MR. CLEMENTS: Can we get a question
15 on whether or not Mr. Lenberg even knows what he's
16 looking at first?

17 THE WITNESS: Yeah, I'm not sure what
18 I'm looking at.

19 BY MR. BROWN:

20 Q These are texts between Misty Hampton
21 and Eric Chaney.

22 MR. CLEMENTS: We don't have the

1 foundation for that so --

2 THE WITNESS: What date?

3 BY MR. BROWN:

4 Q Okay. I'm representing to you that
5 these are text messages between Eric Chaney and
6 Misty Hampton. You do not have to believe me. Do
7 you follow me?

8 A Okay.

9 Q Do you know -- do you know why Misty
10 Hampton would have been referring to your
11 activities as "the guys measuring my desk"?

12 A I don't see that in here. Where's it
13 at?

14 Q January 19, 10:35 a.m.

15 A I've never heard that term.

16 Q Do you know why she would have had to
17 have a code to describe your activity?

18 MR. CLEMENTS: Objection.

19 Foundation.

20 Don't answer unless you know.

21 BY MR. BROWN:

22 Q Did you suggest that she use a code

1 to describe your activities there?

2 A I -- I don't know. I can't answer
3 that.

4 Q You don't remember that?

5 A I wasn't in that conversation.

6 Q I didn't ask that. I said -- I asked
7 if you advised her to create a code to describe
8 your activities?

9 MR. CLEMENTS: You didn't ask that,
10 Bruce. You're implying it. So if you want to ask
11 a question, ask it clearly.

12 BY MR. BROWN:

13 Q Well, all right. Well, I meant to
14 and must have misspoke, but let me ask it this way:
15 Did you discuss with Misty Hampton the need to use
16 a code to describe your activities there?

17 A I did not.

18 Q All right. Referring to the 25th
19 now. This is skipping -- skipping up a week. You
20 can ignore that exhibit for now.

21 A Okay.

22 Q Now, was your visit there, was it

1 interrupted by anything?

2 A At one point there was a -- what I
3 believe someone from the Georgia Investigative
4 Office that showed up that needed to ask Misty some
5 questions, Ms. Hampton some questions. I was in
6 the office chatting with her and when the gentleman
7 showed up, I politely left so that he could have
8 whatever interaction he needed with her.

9 Q Did you know -- did you talk with the
10 investigator while he was there?

11 A I did not. I didn't have any
12 discussion with the investigator. I just politely
13 said, "Here, you know, you need to talk with her,
14 I'll go ahead and leave."

15 Q Did he ask -- did he say "Who are
16 you? What are you doing here"?

17 A I did not.

18 Q Did he ask you that?

19 A Not that I recollect.

20 Q Did he -- okay.

21 And your testimony -- your testimony
22 is that -- that you couldn't do what you were there

1 to do because Misty was busy. Is that -- is that
2 what happened?

3 A That's what I recollect, that she had
4 lots of stuff to do and wasn't able to spend the
5 time on it. Was able to give me a little bit time
6 to help. You know, I came in with questions that I
7 might have developed overnight. I might have been
8 looking online at manuals, or whatever, and trying
9 to understand things. And, yeah, so I came in for
10 a short while until I could get a few minutes of
11 her time.

12 Again, I was trying to learn the
13 systems and -- and better understand how the -- how
14 they operated so I could in -- in the whole
15 election process so that I could really do a much
16 better assessment of it.

17 Q If you would refer back to Exhibit 3,
18 which is the log of the Signal messages.

19 A Uh-huh.

20 MR. CLEMENTS: What page, Bruce?

21 MR. BROWN: The last page, page 12.
22

1 BY MR. BROWN:

2 Q And specifically toward the bottom of
3 the page the entry on January 27, 2021.

4 A January 27th?

5 Q Yes.

6 MR. CLEMENTS: Page 13?

7 MR. BROWN: Yes. The last page of
8 the exhibit.

9 THE WITNESS: Okay. We're on that
10 page. We still don't see it.

11 MR. CLEMENTS: What date are you
12 looking at?

13 MR. BROWN: Go to page 12. I may be
14 missing a page on my copy.

15 MR. CLEMENTS: Go to page 12. Okay.
16 There's nothing bearing a date of what the -- the
17 27th, is that what you're --

18 THE WITNESS: We don't see any 27th
19 in the log.

20 Go down further and see if you can
21 find it down further.

22

1 BY MR. BROWN:

2 Q Look on page 13:

3 MR. CLEMENTS: Oh, there's one --

4 THE WITNESS: There it is. Okay.

5 Yeah. Yeah, we see it down towards the very end of
6 the line.

7 BY MR. BROWN:

8 Q Right, on page 13, or the 13th page?

9 And do you see -- do you see where
10 you say, "Hey guys, whenever Jim is available, we
11 three should get up to date. Status here in Coffee
12 County has changed quite a bit and I'm having to
13 shift plans."

14 Do you see that?

15 A Correct, I do.

16 Q And what did you mean by, "Status in
17 here in Coffee County has changed quite a bit"?

18 A Well, as I mentioned already, I had
19 gone back with hopes of being able to do more
20 testing related to the anomaly and better
21 understand, for example, could we put it back into
22 a working state, but due to Misty's schedule, we

1 weren't available to do that, and so then I moved
2 on. And I looked into other situations, like
3 Pierce County, called Dougherty, you know, spent
4 some time looking at some of the other issues that
5 had been raised while I was there.

6 Q So, Mr. Lenberg, your testimony is
7 that the status changed was Misty's schedule and
8 nothing else?

9 A That's correct, her schedule is --
10 has changed. I mean, she just was not able to
11 spend the time with me. I -- I really don't know,
12 you know, exactly what was going on behind the
13 scenes, so if she was getting calls or anything
14 else, I don't know. I just don't know.

15 Q On the same -- while we're here --
16 and this is jumping around a little bit out of
17 time, but if would you go to the page before, which
18 is page 12, the bottom of the page.

19 A Uh-huh.

20 Q And you were in this group, right,
21 this special report group?

22 A Apparently. I don't know if I was or

1 not. The special report group?

2 Q Special report thread name.

3 MR. CLEMENTS: Don't speculate,
4 just --

5 THE WITNESS: I don't -- I don't
6 know.

7 BY MR. BROWN:

8 Q Okay.

9 A But I have checked my Signal, and
10 I -- I did not find any messages in this time
11 frame. There's various reasons why that might be,
12 but I did not have anything.

13 Q Yeah, the discussion about your
14 report. If you'd go to the next page, you'll see
15 Jim Penrose's e-mail at the top there on January
16 the 20th. He says, "If you can draft a report for
17 review on Friday morning with Charles Bundren, that
18 would be best. We only have until Saturday to
19 decide if we're going to use his report to try to
20 decertify the senate runoff election or if we hold
21 it for a bigger movement later."

22 Do you see that?

1 A I see it.

2 Q Do you recall discussions about
3 potentially using your reports to decertify the
4 senate runoff election?

5 A I have no idea if they're talking
6 about my report or not because there were many
7 reports been generated all over the place. So I do
8 not recollect this. I don't recollect being in
9 this discussion group. I might have been, but I
10 don't recollect it. And, again, I've never met
11 this Charles Bundren. I -- I really don't know.
12 So I doubt that I was in this group. And -- and I
13 doubt -- I don't know what report they're referring
14 to. It could have been the ICC report or ICP
15 report or it may have been some other report, I
16 have no idea.

17 Q Okay. If you go down on the same
18 special report thread, you will see one of the
19 e-mails is from you. Do you see that?

20 A Okay.

21 Q And you say, "Just landed in
22 Albuquerque." Do you see that?

1 A Yeah. So was that -- okay.

2 Q At least --

3 A That looks like I was in the group,
4 if that's -- if that was from me in that group.

5 Q You don't know anything about a
6 bigger movement later. Is that right?

7 A I don't. Let me read what I said
8 there.

9 Q I'm talking about Penrose's e-mail --
10 I'm sorry, Penrose's Signal message to you.

11 MR. CLEMENTS: To the group.

12 THE WITNESS: Which one now?

13 MR. CLEMENTS: Which specific --
14 which message? Give me a date and time, please.

15 MR. BROWN: I'm sorry. January 20,
16 13:18.

17 MR. CLEMENTS: Okay. There's a bunch
18 were 13:18s.

19 BY MR. BROWN:

20 Q At the top of the page on page 13 of
21 Exhibit 3.

22 A From reading this, I don't recollect

1 this, but from reading it, it sounds like he may
2 have been referring to the ICC and the ICP reports
3 that he asked us to generate.

4 Q Okay. But you don't recall any
5 discussion about trying to decertify the senate
6 runoff election?

7 A I -- I don't.

8 Q And I believe your testimony was that
9 you weren't aware that your report was going to be
10 used for -- to decertify the senate runoff
11 election?

12 A That's correct, I don't recollect
13 that. Someone else may have had that idea, but
14 I -- I don't know.

15 Q If you go back down -- if you go down
16 a page to January 20, 18:11, this is before your
17 second visit to Coffee County, right?

18 A Yeah. That's having to do with the
19 report and wanting to do additional testing because
20 I really wanted to be able to confirm that we could
21 switch it back and forth.

22 Q So your plan was to nail all of this

1 down to make it bulletproof. And I take it that
2 effort was unsuccessful?

3 A We were not able to do additional
4 testing to be able to switch it back and forth,
5 which is what I was referring to here is we were
6 short on time, that first time we got it to fail,
7 and we wanted to switch it back the other way and
8 we were not able to do that due to Misty's schedule
9 and really be able to confirm it.

10 Q Okay. If you go to page 1, there's a
11 February 17 entry that I need to ask you about, I
12 think.

13 A Okay.

14 Q I'm sorry, page -- I'm sorry. My
15 bad. Page 2.

16 MR. CLEMENTS: We're on page 2.

17 BY MR. BROWN:

18 Q Okay. If you look at the bottom of
19 the page, there is a thread that's called "Coffee
20 County Misty"?

21 A Uh-huh.

22 Q And I believe if you look at the next

1 page, you'll see that you're in that group. And
2 on --

3 A Yep.

4 Q -- February 17th, Misty says, "This
5 is a piece you will need to program the fob." Do
6 you see that?

7 MR. CLEMENTS: That's not from Mr. --
8 that's from Misty on February 17th. The only entry
9 with Mr. Lenberg is ten days later on June 27th, so
10 I want to establish, are we -- are we suggesting
11 that this chain is on the same date, because it's
12 not?

13 MR. BROWN: I meant to ask, as a
14 foundational question, that he was in the Coffee
15 County Misty thread name and I pointed out that he
16 does appear to be if you look at the entries on the
17 next page.

18 MR. CLEMENTS: Okay.

19 BY MR. BROWN:

20 Q So let me ask again --

21 A On the previous page or -- I'm trying
22 to find where -- where -- the quote that you had.

1 Give us the date and time, please.

2 Q February 17, 12:21.

3 A The previous page.

4 MR. CLEMENTS: Okay.

5 BY MR. BROWN:

6 Q Do you see that?

7 A I see something there about a fob,
8 yeah.

9 Q Okay. It's something. It says,
10 "This is a piece you will need to program the fob."
11 Do you know what she is talking about?

12 A Probably referring to the fobs that
13 are used for the ICP. And I suspect this is
14 referring to the work in Michigan. Misty did come
15 up and she was consulting with Stephanie Lambert on
16 helping out in Michigan.

17 Q And based upon her expertise in --
18 from Coffee County?

19 A Apparently.

20 Q So she was -- she was -- okay, she
21 was working for Stephanie Lambert then?

22 A Well, I -- I don't know. At some

1 point later, I don't know the exact dates because I
2 haven't looked at the timeline, but that's what I'm
3 suspecting it's referring to. I should not
4 suspect, sorry.

5 Q Did you use your expertise in
6 developing the video that you shot at Michael
7 Lynch's apartment?

8 A Misty was retained after she left
9 Coffee County, after she was dismissed. She did
10 come up to Michigan and she explained how elections
11 were run to enable us to do our testing there.

12 Q And to also help you do the video,
13 right?

14 A No. She did not participate at all
15 in the video.

16 MR. CLEMENTS: And I think I'm going
17 to go ahead and object and insert work product
18 privilege here because this is talking about Antrim
19 County.

20 BY MR. BROWN:

21 Q Okay. If you look at the next page,
22 there's an e-mail -- I mean a Signal message from

1 you on the 27th of February.

2 A Uh-huh.

3 Q It says, "Hi Misty, please remind me
4 when you ran the adjudication software, were all
5 scanned ballots available for you to alter or only
6 those that were somehow marked for adjudication in
7 that batch?"

8 Do you see that?

9 MR. CLEMENTS: And before the witness
10 answers, I want to clarify another -- or have
11 another question on whether Mr. Lenberg believes
12 this is related to Coffee County or Antrim County?

13 BY MR. BROWN:

14 Q You can answer.

15 A I -- I believe this is related to
16 Coffee County, this question. And what I was
17 wanting to know was whether or not the adjudication
18 software on her ICC, when she ran it -- you may all
19 know the famous video that was put out by her and
20 her election board showing that when you ran the
21 ICC, that you can manipulate any of the votes any
22 way she wanted because she had administrative

1 privileges. And she had stated that it didn't
2 matter whether it was one marked for adjudication
3 or not, and I just wanted to verify that was
4 actually the case. So that's why I was asking her
5 the question, it was based on the video that --
6 that they had released from Coffee County.

7 Q And do you know who paid Misty for
8 the work that she did in Michigan?

9 A Stephanie Lambert did.

10 Q Let's go down to page 9.

11 MR. CLEMENTS: Which page, Bruce?

12 BY MR. BROWN:

13 Q I think it's page 9 of that exhibit.
14 And it's the -- just a point of reference, the
15 first message that I have on this page is 1/18 at
16 9:47, to make sure we're on the same page.

17 A Yes, I see that.

18 Q Okay. If you -- if you scroll down,
19 you will see a message from you on April 20, 2021.
20 "Did you get Misty's EMS running in a VM? If so,
21 can I download it as soon as possible?"

22 Do you see that?

1 A Where was this?

2 Q This is on April 20, 2021, at 2:33.

3 A Yes, I see that.

4 Q And -- and who is this directed to,
5 if you recall?

6 A It would have had to have been Doug
7 Logan. Doug's the only guy that I know of that
8 would be able to do that. And he would have had
9 access to that through Sullivan and Strickler --
10 or -- yeah.

11 Q He's referring to a virtual machine.
12 Is that right?

13 A That's correct.

14 Q And were you able to download it?

15 A I did not download it.

16 Q If you -- if you keep going there, it
17 says --

18 A That I recollect. I -- I don't
19 recollect downloading it, let's put it that way.

20 Q No. Fair enough.

21 If you go down a couple of hours to
22 the same day at 4:37, Doug says, "Talk to Jim to

1 get" -- is it Charles's approval?

2 A That's what it says. I don't know
3 who it's referring to though.

4 Q Is that Mr. Bundren maybe? You don't
5 know?

6 A I don't know.

7 Q And then a couple of minutes later,
8 you say, "Got it." Do you -- do you mean
9 understand what he said or you got permission?

10 A I don't recollect getting permission
11 or doing anything with it so I assume I just was
12 responding and saying, "Yeah, I got your message, I
13 understand."

14 Q Did you ever get access to the
15 virtual machine folder?

16 A Not that I recollect. I don't
17 believe I was ever directly connected to Strickland
18 and Sullivan's FileShare, or whatever you want to
19 call it. Not that I recollect.

20 Q Okay. If you turn over to -- to page
21 11. I'm sorry, page 12. And I'm going to ask you
22 about a message from Phil Waldron. And I will

1 caution you that this may not be from -- to or from
2 you or in your thread, but I still have a question
3 about it.

4 Phil Waldron says, "Misty from Coffee
5 County is getting hammered like Tina in Mesa
6 County. You have a copy of the image. We need to
7 get it to our lawyer Bundren ASAP for her defense."

8 Do you see that?

9 A I see that the message.

10 Q Do you recall anything about that?

11 A I don't. Yeah, I don't recall
12 anything about that.

13 Q Do you recall changing the ICC system
14 time again after you changed it -- after you had it
15 changed initially?

16 A You mean changing it back to what it
17 was?

18 Q No. Changing it to November 3rd.

19 A I don't recollect, but we might have.
20 I -- I -- I don't know either way. It's possible.

21 Q If the -- if the records reflected
22 that the ICC system time was changed to

1 November 3rd, that second week that you were there,
2 does that refresh your recollect?

3 MR. CLEMENTS: We would have to see
4 it, Bruce. You can't refresh it through an oral
5 representation, but if you've got something for him
6 to look at, let's go ahead and do it.

7 BY MR. BROWN:

8 Q Do you remember doing that or having
9 her do that?

10 A I don't remember.

11 Q Would there be any -- would there be
12 any reason to change the clock again if you were
13 not continuing to run the ballots?

14 A If -- if we were going to test, we
15 would want to change the time, so it's possible.

16 Q As a security professional, do you
17 think it's problematic for a third party, even
18 accessing through a local official, to be changing
19 a clock on voting system equipment?

20 A Not if it's changed back to the
21 appropriate time.

22 Q But you don't know if this one was or

1 not, right?

2 A I don't know for sure.

3 Q Why did you bring a light -- a ring
4 light into the Coffee County election's office?

5 MR. CLEMENTS: Objection.

6 Foundation.

7 BY MR. BROWN:

8 Q Or did you bring one in there?

9 A I bring when I go various places lots
10 of stuff with me that I may or may not use. I very
11 well could have brought a ring light in there.
12 Again, I was trying to learn, so the possibility
13 that I might want lighting to take, you know, a
14 video of the pollbook or something like that or a
15 video of something so that I could see how it
16 actually, you know -- so I could remember what
17 Misty said about how the system functioned. I
18 could imagine wanting to do that. I can't
19 recollect whether we did that or not, to be honest,
20 I -- I don't know.

21 MR. BROWN: Let me mark as the next
22 exhibit Tab 17.

1 (Lenberg Deposition Exhibit Number 9
2 marked for identification.)

3 MR. CLEMENTS: Will this be
4 Exhibit 9?

5 COURT REPORTER: Yes.

6 MR. CLEMENTS: Okay.

7 MR. BROWN: Thank you.

8 MR. CLEMENTS: Still waiting for it.

9 THE WITNESS: Uh-oh, what happened to
10 the site?

11 MR. CLEMENTS: It looks like there's
12 a server malfunction, so we'll have to re-access
13 it.

14 THE WITNESS: We just lost your site.

15 MR. BROWN: Okay.

16 THE WITNESS: We are going to try to
17 re-access it.

18 MR. CLEMENTS: I tried the link sent
19 through the e-mail and I got the same --

20 THE WITNESS: Let me see if we've got
21 the same network. We're connected, we've got
22 internet access, we're good. We have internet

1 access. We're trying to access -- there we go, it
2 came back up. We must have temporarily lost the
3 internet connection for some reason, but it's back.
4 Well, that's from the deposition, that's his
5 deposition of Alex.

6 MR. CLEMENTS: Yeah, it looks like we
7 got loaded to a different --

8 THE WITNESS: It brought up -- is
9 that Alex Halderman or Andrew Cruce. We're on the
10 wrong deposition when we clicked on the accept
11 invitation. There we go. There it is. Okay.
12 Found it.

13 MR. CLEMENTS: All right. Exhibit 9.
14 I think we got it now. Okay. We're good.

15 BY MR. BROWN:

16 Q So Exhibit 9 is a photograph. Does
17 that appear to be you?

18 A Yeah, that would probably be me.

19 Q Hang on just one second, we have some
20 technical issues on our end. Hold on.

21 A Uh-huh.

22 MS. MARKS: Bruce, were you waiting

1 on me to upload something? I lost my sound for a
2 moment, and I -- if you asked me to, I didn't hear
3 it.

4 MR. BROWN: That's okay, I'm just
5 writing you a text. We're good.

6 MS. MARKS: Okay. Somehow when
7 Mr. Lenberg lost his access, I lost my sound. I
8 don't know what happened. I could see it, but
9 couldn't hear it.

10 BY MR. BROWN:

11 Q Okay. Looking at Exhibit 9, that's
12 you with the box there, right?

13 A Yes.

14 Q And that's the ring light box. Is
15 that right?

16 A If you say so, I can't tell from this
17 picture, but it very well could be.

18 Q Okay. And did you take any videos
19 when you were there?

20 A You know, I honestly don't recollect
21 if I did or not.

22 Q Did you --

1 A I might have. I -- I don't remember,
2 but I didn't find any during my search for videos.

3 Q And then if you scroll down, it looks
4 like Misty Hampton has the same box after you left
5 on the 29th, right?

6 A I don't -- I can't tell from the --
7 from the --

8 Q You don't -- you don't recall taking
9 any videos there?

10 A I really don't recall either way.

11 Q Do you remember taking any
12 photographs when you were -- when you were there?

13 A I don't -- I don't recall. I
14 haven't -- I did a search for video and photographs
15 and I can't find any in my search, so I -- I can't
16 say definitely either way.

17 Q Okay. I want to switch gears to the
18 zip file that you produced overnight that we do not
19 have the password for. I believe the -- the files
20 that you sent overnight contained the CompactFlash
21 cards. Is that right?

22 A That's my belief, the zip that I

1 still don't have a password, but yes, that's my
2 understanding is that it had the SLOG -- the text
3 files on it. And I learned later probably the
4 election files as well as the result files in
5 encrypted format.

6 Q And that would have included ballot
7 images?

8 A It would have included what?

9 Q Ballot images.

10 A It would have included ballot images,
11 yes.

12 Q And it would include the sequence of
13 the ballots?

14 A The CompactFlash cards would have
15 contained that.

16 Q And for what elections -- election or
17 elections would that information be about?

18 A To be honest, at this point, since I
19 haven't opened that guide and studied it, I don't
20 know if that was the 2020 November 3rd or if that
21 was from the machine recount. I'm not sure which
22 one.

1 Q It's possible it could have stored
2 information about more than one election, correct?

3 A No.

4 Q Don't they just override and to the
5 extent they override it?

6 A Overwrite. They overwrite.

7 Q But it may -- but they don't erase it
8 before putting another election on it, do they?

9 A The machine does. It -- it reformats
10 before it does it.

11 Q How do you know that?

12 A I observed it in my work in Michigan.

13 Q Do you know if that's the way they do
14 it in Coffee County?

15 A Say again, please.

16 Q Do you know if they do that in Coffee
17 County, reformat the CompactFlash drives before
18 they put any more information on it?

19 A It's not up to the worker. The
20 system does it. And the system in Coffee County
21 appears to be the same as the system in Michigan
22 and so it would do the same thing.

1 Q Okay. But in any event, you're not
2 sure -- so it would be one election, but you're not
3 sure which election it was. Is that fair --

4 A That's correct.

5 Q -- to say?

6 A That's correct, I'm not sure which
7 one it was.

8 Q And the -- but the CompactFlash would
9 also have information relating to the configuration
10 of the ICP, correct?

11 A Yes.

12 Q And the log files, that kind of
13 thing?

14 A SLOG files, yes. The system log
15 files.

16 Q And did you figure out how to access
17 the information on those CompactFlash drives?

18 A You know, I don't recollect if I did
19 or not. There was so much going on at the time and
20 I was up in Michigan pretty quick and moved on from
21 Georgia, so to what extent I analyzed that from
22 nothing to whatever, I don't know. I -- I don't

1 recollect what it was.

2 Q And how did you get this information
3 from Misty Hampton?

4 A I believe it was a memory stick.

5 Q And you asked for it and she gave it
6 to you, right?

7 A I believe so.

8 Q It wasn't in response to an Open
9 Records Act request, right?

10 A I don't believe so.

11 Q And is it your understanding that she
12 had the authorization to give you this kind of
13 information?

14 A Yes, I believe so. That was my
15 understanding.

16 Q And I may have asked you this but --
17 or you may have testified, is that this -- is it
18 the same information that SullivanStrickler would
19 have had on their ShareFile site or different?

20 A I would expect it to be the same.

21 Q And you got it from Misty because at
22 that time you did not have access to the

1 SullivanStrickler file, right?

2 A That's not true. I -- I -- I don't
3 know that I had access or not, but me getting it
4 from Misty was so that -- in particular I was
5 learning about this stuff in the system log files,
6 so the idea was that at some point I could look at
7 those system log files and try to look for
8 reversals. And, again, I don't recollect how much
9 analysis I did on that, if any. But that was what
10 idea, was to be able to look at the system log
11 files which are available via records request,
12 apparently across the country in most
13 jurisdictions.

14 Q Did you give the information on those
15 flashcards to anybody else?

16 A No.

17 Q Were you working for an attorney in
18 connection with obtaining those files or was that
19 just on your own?

20 A That was essentially on my own.

21 Q And what were you going to use them
22 for again?

1 A The primary thing is I had learned
2 about the system log files and the fact that it
3 recorded how the machines behaved, the tabulators
4 behaved per ballot, as far as whether or not they
5 reversed them. And that is what I was particularly
6 interested in, as we've already -- I've already
7 testified about, the testing of the machines and
8 reversals. So that was the primary reason for
9 getting it. At that point I didn't even know
10 that -- necessarily if the election files were on
11 there.

12 Q And this would have been toward the
13 conclusion of your visit in Coffee County or do
14 you -- the second meeting?

15 A That's correct, the date on that file
16 is the 28th, which I believe was the last day,
17 uh-huh.

18 Q Before I forget, has the Secretary of
19 State of Georgia ever contacted you to ask you any
20 questions about your work in Coffee County?

21 A No.

22 Q Has the --

1 A Not that I'm aware of.

2 Q Well, you probably would know if they
3 tried to, I guess, right, or maybe not?

4 A I -- if they had called and left a
5 message, we screen our calls like everybody else
6 does because we get so many crank calls, so had
7 they called and left a message, I might have
8 responded to that. But I did not get a message
9 like that, nor did I get an e-mail or any other
10 physical contact that I'm aware of.

11 Q I asked you about the Secretary of
12 State. Let me just go through the other
13 organizations.

14 Has the State Election Board
15 contacted you about your work in Coffee County?

16 A No.

17 Q Has the GBI contacted you about your
18 work in Coffee County?

19 A No.

20 Q Has the Fulton County Attorney
21 contacted you about your work in Coffee County?

22 A No.

1 Q Has the FBI contacted you about your
2 work in Coffee County?

3 A No.

4 Q Just one second.

5 And finally, has the January 6
6 Committee -- the House January 6th Committee
7 contacted you about your work in Coffee County?

8 A No.

9 By the way, I'm ready for a quick
10 break whenever you guys are.

11 Q Thank you for asking. That would be
12 great. I appreciate it.

13 A Okay. What are we taking?

14 Q Let's take 10 minutes.

15 A So to 1:00.

16 Q I'm sorry, 1:05 your time, 3:05 our
17 time.

18 VIDEOGRAPHER: Going off the record.
19 The time is 2:55 p.m.

20 (Recess from 2:55 p.m. to 3:11 p.m.)

21 VIDEOGRAPHER: Going back on the
22 record. The time is 3:11 p.m.

1 MR. BROWN: I would like to mark as
2 the next exhibit Tab 4, I believe it's Exhibit 10
3 or 11.

4 COURT REPORTER: It's 11.

5 MR. BROWN: Thank you.

6 (Lenberg Deposition Exhibit Number 11
7 marked for identification.)

8 MR. CLEMENTS: We don't have it yet,
9 we'll let you know.

10 MR. BROWN: Okay. And then just
11 for -- to save time, if you would also load as 12
12 and 13, Tabs 26 and Tab 21 respectively.

13 MR. CLEMENTS: We have Exhibit 11
14 uploaded if you want to ask questions pertaining to
15 that, Bruce.

16 MR. BROWN: Sure.

17 BY MR. BROWN:

18 Q Do you see Exhibit 11, the photograph
19 on the first page of Exhibit 11?

20 A I do.

21 Q And what was in the plastic bag?

22 A I -- I have no idea. I can't tell --

1 I can't tell from here what it -- what it was. I
2 can't tell.

3 Q And did you -- you didn't introduce
4 any software or data into the election equipment,
5 did you?

6 A No, I did not.

7 Q And apart from the thumb drive that
8 you got from Misty, you didn't take any data from
9 there physically, did you?

10 A Not that I recollect.

11 Q And then the first picture is
12 January 18, 4:20 in the afternoon. Do you see
13 that?

14 A Okay.

15 Q And then the next photo has you
16 leaving the same day at 8:00?

17 A Okay.

18 Q And who is that in front of you?

19 A I -- I believe it's Misty.

20 Q And that's Mr. Logan with you?

21 A I suspect. It looks like it probably
22 is.

1 Q And then the page 3 is it looks like
2 you arriving -- you and Mr. Logan arriving the next
3 day at 8:52, correct?

4 A Correct.

5 Q And then the final page is you
6 leaving on the 19th at 6:19, correct?

7 A Let me check the time. Those are two
8 different times -- oh, this is -- yes, that appears
9 to be 6:19.

10 Q Do you know who that is to the right
11 of you there?

12 A I believe that's Misty's daughter.

13 Q Okay.

14 MR. BROWN: And then if you would
15 load Tab 26 as Exhibit 12.

16 (Lenberg Deposition Exhibit Number 13
17 marked for identification.)

18 MR. CLEMENTS: All right. Exhibit 12
19 is opened.

20 MS. MARKS: Bruce, you wanted Tab 12
21 I thought is --

22 MR. BROWN: Tab 26.

1 MS. MARKS: Right, that's loaded as
2 13.

3 MR. BROWN: Okay. What I'm looking
4 for is the exhibit that is the January 28th
5 handwritten notes.

6 MS. MARKS: That is Exhibit 13.

7 BY MR. BROWN:

8 Q Okay. Let me show you what has been
9 marked as Exhibit 13. Do you see that?

10 MR. CLEMENTS: Tab 26?

11 THE WITNESS: Yes.

12 BY MR. BROWN:

13 Q Is that your handwriting on
14 Exhibit 13?

15 A I believe so.

16 Q It's dated January 28, 2021?

17 A Correct.

18 Q And to the best of your knowledge and
19 recollection, does that mean it was probably
20 written on that date by you?

21 A Correct.

22 Q And it -- and it -- if you look

1 toward the middle of the page, it says, "3:30
2 Penrose," then, "Ray Speer." Who is Ray Speer?

3 A I do not recollect who Ray Speer is
4 honestly. I don't know.

5 Q And then to the right it says,
6 "Alex," and then I can't read that word.

7 A Alex Gason. I do recognize that.
8 I -- that is a partner that I have in my energy
9 business based in the UK.

10 Q And so that -- that doesn't have
11 anything to do with this case?

12 A It has nothing to do with Coffee
13 County. And that may be true throughout these
14 notes, there may be additional notes in here that
15 have nothing to do with Coffee County.

16 Q Fair -- fair enough.
17 You say in this -- this note, "We
18 know the machines 'reverse' a lot of ballots with
19 ICC unnecessarily."

20 Do you see that?

21 A That is correct.

22 Q And you're referring to the -- what

1 the machine says reverse when it does not -- when
2 it takes it and then reverses the information that
3 it initially logged for that particular ballot,
4 correct?

5 A No, not quite correct. It reverses
6 the physical ballot out of the machine and forces
7 you to either spoil it and get a new one or try
8 putting it in again.

9 Q Right.

10 And you say, "We know they favor
11 Trump over Biden"?

12 A That's correct, that's in our
13 reports.

14 Q And did you mean they favored Biden
15 over Trump?

16 A No. Mean that the reversals, there
17 are more reversals for Trump than there are for
18 Biden.

19 Q Okay.

20 A That's what I meant by that note, I
21 believe.

22 Q No, I understand.

1 A And keep in mind, I -- some of these
2 scribbles I may not know what I meant so --

3 Q I got it. I got it. I'm not trying
4 to trick you into something there. I hear what
5 you're saying.

6 A But I believe that it's consistent
7 with the report we noticed that they were reversing
8 Trump more than Biden, which what that explains to
9 me is that the machine can arbitrarily for some
10 reason reverse one candidate more than the other,
11 which is a huge vulnerability in my opinion.

12 Q And then let me direct your attention
13 to Exhibit 12, which is Tab 21.

14 A We've got it.

15 (Lenberg Deposition Exhibit Number 12
16 marked for identification.)

17 BY MR. BROWN:

18 Q And then if you look at the bottom,
19 there's an e-mail from you to open records request.
20 Do you see that?

21 A No, not in Tab 12. Tab 12 for us is
22 the ICP Dominion report, the ICP Analysis Update.

1 Q Then we --

2 MS. MARKS: I think you're looking
3 for Exhibit 14.

4 MR. BROWN: No, I'm looking for Tab
5 21.

6 MS. MARKS: Which is Exhibit 14.

7 BY MR. BROWN:

8 Q Okay. Exhibit 14, do you see that
9 there?

10 A We're looking for it. We haven't got
11 it yet.

12 MR. CLEMENTS: We have got Exhibit
13 13, and for whatever reason --

14 THE WITNESS: The thing down at the
15 bottom is frozen. Oh, that is Exhibit 14, the one
16 that you've got highlighted down at the bottom. If
17 you click there, it should come up. Oh, I'm sorry.

18 MR. CLEMENTS: I'm trying to -- here
19 we go. Exhibit 14, Tab 21.

20 (Lenberg Deposition Exhibit Number 14
21 marked for identification.)

22

1 BY MR. BROWN:

2 Q Correct. Do you see that -- and just
3 to make sure we're looking at the same document, do
4 you see at the bottom of that page an e-mail from
5 you to open records request.

6 A I see from -- yes, I see at the
7 bottom it says to someone, "Subject: Open records
8 request." I believe that was the County. Yes, I
9 see that.

10 Q And did Misty ever fulfill that Open
11 Records Act request?

12 A No. I never received the results of
13 this one.

14 Q She says, "He gave me a thumb drive
15 and I put it on the thumb drive." Do you think
16 she's referring to the CompactFlash information
17 that she gave you?

18 A I -- I don't know what she's
19 referring to.

20 Q Okay.

21 A I -- I don't remember it being
22 fulfilled.

1 Q Well, we did not receive any
2 documents unless -- well, let me just put it this
3 way, I'm not trying to play tricks on you, but my
4 next question was, why didn't you produce to us the
5 documents that she produced to you. But your
6 recollection is that you did not get any documents
7 in response to this Opens Record Act request. Is
8 that right?

9 A That's correct. I don't believe I --
10 I got any paper tapes and some of the other things
11 that were requested here. In fact -- well, I --
12 I -- when I left, I don't believe this had been
13 fulfilled. That's how -- that's what I recollect.

14 Q And I just want to get the -- the --
15 the sequence correct on how you obtained a copy of
16 the SullivanStrickler forensic copy.

17 A That's not correct. I got a copy
18 directly from the election supervisor, who I
19 believe was authorized to give it to me. It did
20 not go through SullivanStrickler, or however you
21 say their name, Sullivan and Strickler. It wasn't
22 a copy of what they did. Now, they apparently did

1 a forensic image, but -- but the copy I got, I
2 believe, was made by Misty Hampton.

3 Q Right. I'm referring to what you got
4 FedExed -- what was FedExed --

5 A Oh, different -- different thing.
6 Okay. You're talking about the disk that was sent
7 to Michigan?

8 Q Yes.

9 A Oh, okay. Sorry. Wrong topic. Go
10 ahead and ask the question again, please.

11 Q No, I -- I confused you because I --
12 I didn't have a transition in my questions and
13 so --

14 A Okay.

15 Q -- I apologize for that.

16 But what I'm referring to is a
17 forensic copy that SullivanStrickler made and had
18 on their ShareFile site.

19 But the sequence of that is, just
20 goes over some of your own testimony, I'm just
21 trying to get it together, is that you had asked
22 Doug Logan for a copy -- you weren't able to get

1 approvals for that apparently, but then you did
2 obtain it from Michael Lynch, correct?

3 A No, not quite. The -- those are two
4 independent things that I believe you put together
5 there. What I recollect is from the e-mail, and
6 it's consistent with that, is that Jim Penrose and
7 Stephanie asked if that disk be sent up there. And
8 the disk we sent up there -- and I'm just repeating
9 myself -- Michael Lynch received it, Michael Lynch
10 delivered it to me. I was asked to make a copy
11 that was utilized for I don't know what, but it was
12 handed over to them. And then the original disk
13 was taken by Michael Lynch.

14 Q And were you stationed, for lack a
15 better term, in Michigan in that April time frame
16 then working with them?

17 A What's the question again?

18 Q Were you physically in Michigan
19 working on --

20 A I was.

21 Q -- working on the --

22 A I was.

1 Q Do you know Ben Cotton?

2 A Yes, I know Ben Cotton.

3 Q And did he assist you in your
4 evaluation of the Cotton County -- Coffee County
5 information?

6 A Not that I recollect. Did he assist
7 me? Not that I recollect.

8 Q Did you communicate with him about
9 the information that you obtained in Coffee County
10 or the information that he obtained in Coffee
11 County?

12 A Not that I recollect.

13 Q I'm going to sort of close the loop
14 on some of these emails, but before I do that, you
15 used the e-mail to ask for the Open Records Act
16 request in Exhibit 14. Did you -- we -- we have --
17 we have received very few e-mails, as far as I
18 know, in your document production. Is that because
19 you didn't have very many or what?

20 A That's correct. There were very few
21 e-mails that met the requirement in the subpoena
22 for document discovery. I -- I used Signal

1 heavily, I did -- hardly ever used e-mail.

2 MR. BROWN: Let's mark as the next
3 exhibit, Tab 6. I believe that's Exhibit 15.

4 (Lenberg Deposition Exhibit Number 15
5 marked for identification.)

6 THE WITNESS: I don't think we have
7 it yet. It looks like it's just 14 now. You said
8 it's Exhibit 15?

9 MR. BROWN: Yes. And that's going to
10 be Tab 6.

11 THE WITNESS: I believe we're still
12 waiting for it. I believe we have it.

13 BY MR. BROWN:

14 Q And this is a collection of -- that
15 you produced, correct?

16 A That is correct.

17 Q If you scroll down to about the third
18 page, you'll see it looks like an e-mail from Doug
19 Logan. Do you see that?

20 A It's actually I believe a calendar
21 invite. It says Douglas Logan at the top, from to
22 Misty Hampton, and VAguy20. Is that correct? Is

1 that the one you're talking about --

2 Q Yes.

3 A -- March 24th?

4 Q Yes.

5 A That was a calendar invite, uh-huh.

6 Q Hence the -- the bar that says
7 "event," right?

8 A Right.

9 Q And it -- it's an event that -- well,
10 first, it's to Misty Hampton, correct?

11 A It was to Misty Hampton and myself,
12 correct.

13 Q And who's VAguy20@[REDACTED].com?

14 A That's my proton mail address.

15 Q And it looks like it was to schedule
16 a four-and-a-half-hour meeting. Is that right?

17 A That's what it appears to be.

18 Q What was the meeting about?

19 A I have no idea. I really don't know
20 what -- what it was about, nor do I know how long
21 it actually lasted.

22 Q But this is in March 24th, this would

1 have been a couple of months after you left Coffee
2 County, correct?

3 MR. CLEMENTS: Let me ask a question
4 here. Can we just establish whether or not he even
5 remembers a meeting even took place, just because
6 you have a calendar notice, you need to lay some a
7 foundation there.

8 MR. BROWN: Fair enough.

9 BY MR. BROWN:

10 Q Do you recall if a meeting even took
11 place?

12 A I don't recall.

13 Q Do you recall --

14 A I -- I -- you know, there were
15 hundreds of meetings occurring, so I don't recall
16 if this one did or not.

17 Q And hundreds of meetings about the
18 Michigan issue. Is that right?

19 A About all kinds of stuff, but yeah,
20 lots in Michigan, Arizona, and so on.

21 Q Well, other than Michigan, what was
22 Misty Hampton continuing to be involved in in March

1 of 2021?

2 A I don't know what else Misty was
3 involved in, you would have to ask her.

4 Q If you would scroll down to the ninth
5 page of this PDF, you will see an exchange from
6 federal attorney -- with federal attorney. Do you
7 see that?

8 A I do.

9 Q That's Stephanie Lambert, correct?

10 A That's correct.

11 Q And if you go down further, there's a
12 e-mail message from Paul Maggio. Do you see that?

13 A I see that.

14 Q And I believe you referenced this
15 e-mail actually in your earlier testimony. And
16 this is the transmittal information from Paul
17 Maggio to Stephanie Lambert?

18 A That's correct, apparently from that
19 message.

20 Q And the -- this would have been a
21 copy of the SullivanStrickler forensic image of the
22 system?

1 A That's what it appears to be.

2 Q Okay. And JP Comms is Penrose,
3 right?

4 A That's correct.

5 MR. BROWN: Okay. Let's mark as the
6 next exhibit which is Exhibit 16, Tab 5.

7 (Lenberg Deposition Exhibit Number 16
8 marked for identification.)

9 THE WITNESS: We're still waiting for
10 it. It's loading. Okay. It's loaded.

11 BY MR. BROWN:

12 Q Let me -- and who is Kevin Moncla?

13 A Kevin is someone that I was
14 introduced to in apparently in the end of August
15 time frame of this year.

16 Q And are you working with him now?

17 A Working with his -- the answer is no.

18 Q Have you given him some assistance in
19 the claim that he has filed with the SEB?

20 A I did generate the thing I called
21 declaration, which you've already shown. And I
22 gave him permission to include that with his filing

1 with the SEB.

2 Q I see.

3 If you go down to page 24 on Exhibit
4 16.

5 A We're getting there. Okay.

6 Q And you will see that -- is it your
7 messages on the right?

8 A That's correct. That's correct, mine
9 are on the right, Kevin Moncla's are on the left.

10 Q Okay. So you say at the top of the
11 page, "Have you tried to get the firsthand account
12 from Ms. Hamilton?"

13 Do you see that?

14 A Yes, I see that.

15 Q And he says she's represented by
16 Stephanie Lambert, right?

17 A Correct.

18 Q And then why do you say "not good"?

19 A On September 7th of 2021, I severed
20 my relationship with Stephanie Lambert.

21 Q Why?

22 MR. CLEMENTS: Before you answer the

1 question, in the privilege log we identified a NDA.
2 I just want to caution Mr. Lenberg to think through
3 any NDAs that he has entered into before answering
4 the question and if it doesn't apply, then you have
5 to answer.

6 THE WITNESS: Yeah, I do have to be
7 careful because obviously there are things in
8 Antrim, Michigan that are still going on but --

9 MR. CLEMENTS: Can you answer the
10 question?

11 THE WITNESS: What is the question
12 again?

13 BY MR. BROWN:

14 Q Why did you sever your relationship
15 with Stephanie Lambert in September -- is it 2021?

16 A That's correct, September 2021.

17 Q Why did you sever your relationship
18 with her in September of 2021?

19 A Does this violate the NDA? I will
20 just say I lost trust in her.

21 Q And who introduced you to Moncla in
22 the first place?

1 A A fellow named Brian Loophole.

2 Q And who's he?

3 A He is a podcaster, I believe, and an
4 investigator and podcaster.

5 Q And can you say what event triggered
6 you losing trust in Ms. Lambert?

7 MR. CLEMENTS: I'm going to object.
8 I think we're getting into areas of privileged and
9 his mental impressions.

10 BY MR. BROWN:

11 Q Well, she wasn't your lawyer, right?

12 A I understand, but she had an
13 arrangement with Attorney Matt DePerno, and it was
14 that team -- that legal team that -- that I think
15 was leading the Antrim --

16 MR. CLEMENTS: That's correct.

17 THE WITNESS: -- investigation.

18 MR. CLEMENTS: Yes.

19 BY MR. BROWN:

20 Q So you were engaged as an expert by
21 Lambert and DePerno. Is that right?

22 A That's correct.

1 Q And you severed your relationship, I
2 take it, with both of them, correct?

3 A Not correct.

4 Q Okay. So you retained your -- your
5 engagement with Mr. DePerno, but severed your
6 relationship with Ms. Lambert, correct?

7 A That is correct.

8 Q And the reasons for that severance --
9 MR. CLEMENTS: I want to object on
10 privilege.

11 MR. BROWN: No, I'm just going to say
12 the reason -- I'm just establishing that, David.

13 BY MR. BROWN:

14 Q And that you can say nothing further
15 about the reasons for your severance with
16 Ms. Lambert because of privilege, correct?

17 A Uh-huh.

18 MR. CLEMENTS: You need to say yes.

19 THE WITNESS: Correct.

20 MR. CLEMENTS: Okay.

21 BY MR. BROWN:

22 Q In the next couple of messages

1 Mr. Moncla says, "I don't want to put you in a bad
2 position in any way, I just want the record and
3 facts to be complete."

4 Do you see that?

5 A Yes, I see that.

6 Q And then you say, "It would be
7 interesting for you to ask and see what Lambert's
8 response is. I expect her to say no which would
9 confirm some things."

10 Are you able to tell me what
11 Ms. Lambert would say no to?

12 A No.

13 Q Because of privilege?

14 A Yes.

15 Q A couple of lines down you say, "I
16 believe Lambert and Lynch are working for some
17 other entity."

18 Do you see that?

19 A I do.

20 Q And can you say what other entity
21 that might be?

22 A No, I can't.

1 Q And is that because it's privileged
2 for the record?

3 A I do not know.

4 Q Oh, you just don't know. Okay.

5 A I don't know.

6 Q Okay. A couple of lines down, I
7 believe here at 6:56, you confirm the instance in
8 which an investigator came to Coffee County, but
9 you did not interact with the investigator. Is
10 that right?

11 A At what time? 6:56?

12 Q 6:55, I think.

13 A Let us find it, please.

14 Q It starts with, "Thanks." It may be
15 on the next page, I'm scrolling pretty fast.

16 A Are you talking about the comment
17 that says, "Thanks. One did come in to see Miss
18 Hampton, so I politely left her office so that they
19 could" -- it's covered up by something --

20 THE WITNESS: Would you scroll down
21 so I can see what's behind that arrow?

22 MR. CLEMENTS: It's blocked.

1 THE WITNESS: You can't scroll up and
2 down? There you go. Okay. That's fine. There it
3 is.

4 "So that they could meet. I did
5 not interact with the investigator." I believe
6 that's consistent with what I said before.

7 BY MR. BROWN:

8 Q It is. It is. Thank you.

9 You then ask about the redacted and
10 unredacted version of Gabriel Sterling's
11 deposition. Do you see that?

12 A I do see that.

13 Q And you assumed that it was Marilyn
14 Marks that redacted it and not the State that
15 produced it. Is that right?

16 A Kevin told me that. Whether that's
17 accurate or not, I don't know, but that's what he
18 told me.

19 Q If you would go down to the next
20 page, it's page 28. Your first message, you say
21 that you have a suspicion that they don't want to
22 depose me because they are afraid of what I would

1 reveal.

2 Do you see that?

3 A No, not yet, let me find it. What
4 timestamp?

5 Q 8:16.

6 A 8:16. Yeah, what I'm referring to is
7 that Kevin, in this list, had sent me a notice
8 of -- from the court there -- and by the way, I
9 wasn't even familiar with the Curling case until
10 Kevin mentioned it to me, so I had no idea this
11 case was going on. And then he began communicating
12 with me a bunch about -- mainly sending me stuff, I
13 commented back very little.

14 But what happened was he sent me a
15 notice that there was an additional discovery
16 period of three weeks. And -- and so I was at
17 home, I was expecting -- and my name was at the top
18 of that list on that -- on that document, and I was
19 expecting a -- someone to knock on the door any day
20 or, you know, someone to call me or leave a message
21 or send me an e-mail. And those three weeks went
22 by and there was absolutely no attempt to contact

1 me, that I could tell.

2 And then somewhere in that time frame
3 I saw a podcast that said -- basically that implied
4 that -- that I was avoiding -- you know, avoiding
5 being -- avoiding a subpoena, which I have never
6 avoided.

7 Q I understand.

8 And then you say, "They don't want to
9 depose me because they are afraid of what I would
10 reveal." What is it that you think the plaintiffs
11 were afraid you would reveal?

12 A Well, the fact that the election
13 systems in -- in all of my travels, what I see is
14 we have an incredibly flawed election system
15 documented in several different cases. And you've
16 got the narrative out there is that we have a
17 secured election system. And -- and that those
18 kinds of details they do not want to be revealed.

19 Part of the false narrative is that
20 in the media, that is, that all of these court
21 cases have occurred and none of them have showed
22 any substance and that shows that there is no

1 problems with the election system. Well, that's
2 absolutely not true because in every case that I
3 know of the case was never actually taken anywhere
4 due to usually standing, is my understanding, it
5 was rejected. And so --

6 Q And you're not -- you're not -- you
7 said you weren't aware -- let me interrupt you
8 because it's going beyond my question. But you're
9 not aware -- are you aware of what the plaintiffs
10 contend in Curling?

11 A Actually, I am now.

12 Q Okay.

13 A I am. And I think I'm supportive of
14 the idea of getting rid of the ICXs because of the
15 vulnerabilities. And I would say IC -- the ICPs
16 and the ICCs, and actually our entire election
17 system, all brands, having very insignificant
18 vulnerabilities. And so I support the idea that we
19 can't really use any of them.

20 Q Who is Clay Parikh, P-A-R-I-K-H?

21 A He apparently is someone that worked
22 for Pro V&V. That's what Kevin told me. He sent

1 me contact information. I have never contacted
2 him.

3 Q And what did he know that -- or what
4 did you think he knew or what did Mr. Moncla convey
5 to you that he had information about?

6 A I -- I really don't know the
7 specifics.

8 Q But he worked for Pro V&V --

9 A All I know was he worked for Pro V&V,
10 and that Kevin had interacted with him a bunch.
11 And he no longer for work Pro V&V. Those are the
12 facts that I know.

13 Q Do you know where he's located or --

14 A I do not know where he's located.

15 Q Okay. Let's try to race through
16 this. I'm about done. Let's go to the very last
17 page of this exhibit -- or, I'm sorry, page 52. It
18 may not be the last page -- yes, it is. Okay.

19 A Okay. Page 52, I believe we're
20 there.

21 Q Mr. Moncla says, "All of the files
22 have been obtained directly from the counties

1 themselves through open records requests with the
2 exception of two SLOG files from Coffee County
3 which were provided to us through Alex Cruce."

4 Do you see that?

5 A I see that.

6 Q And do you know Mr. Cruce?

7 A I do not.

8 Q And did you understand that Mr. Cruce
9 had given Moncla two SLOG files from Coffee County?

10 A All I know is what you know from that
11 note. That's everything I -- I know is what he
12 wrote there.

13 Q Have you -- do you know Cruce,
14 Mr. Cruce?

15 A Please repeat the question.

16 Q Do you know Alex Cruce?

17 A I do not.

18 Q Have you communicated with him?

19 A I have not.

20 Q Did -- did Misty talk to you about
21 her termination over the months that you worked
22 with her after her termination?

1 A I believe she did. Again, that's
2 probably where I got the firsthand account from
3 her, secondhand from me, about what happened to
4 her.

5 Q And did she convey to her -- to you
6 her belief that she may have gotten fired for
7 providing access to the voting system?

8 A No, she did not convey that.

9 Q What did she convey was the real
10 reason for her termination in her -- from her
11 perspective?

12 A For pursuing the anomalies, which she
13 felt she was fully authorized to do as election
14 supervisor and -- and that there was pressure, she
15 said to me, pressure from someone outside. I don't
16 have any documentation. You've asked for it, I
17 have none. It was all just secondhand from Misty,
18 that there was outside pressure on the county
19 basically about the fact that the county had been
20 very vocal about issues with their equipment.

21 Q Have you heard anything about
22 threatening litigation about Coffee County for

1 permitting the release of the Dominion software?

2 A I have not.

3 Q Have you heard anything about
4 Dominion's reaction to the fact that forensic
5 copies were made of their software?

6 MR. CLEMENTS: I'm going to object
7 because we are referring to Dominion, obviously not
8 a corporate person, could we be a little bit more
9 precise if there is someone that you're thinking of
10 from Dominion.

11 MR. BROWN: That's a good question.

12 BY MR. BROWN:

13 Q I mean anybody from Dominion.

14 A Not that I know of.

15 Q Have you ever -- do you have any
16 information suggesting that the Secretary of State
17 learned of your access or SullivanStrickler's
18 access to the system before that access was made
19 public by the press?

20 A I have no idea.

21 Q Oh, I meant to ask you, did you ever
22 go physically to Pierce County?

1 A I did.

2 Q And what did you do there?

3 A I went in and met with the election
4 supervisor.

5 Q And did you examine the equipment?

6 A I did not.

7 Q Did you obtain copies of any data or
8 software or anything like that?

9 A I did not. I did put in that open
10 records requests as you've already received.

11 Q Okay. I can't remember. Did you get
12 a response from them? I just can't remember.

13 A I don't believe I ever got a
14 response.

15 Q Do you know what we refer to -- or
16 what they refer to as the GEMS room in the Coffee
17 County election's office?

18 A As the what now?

19 Q GEMS, G-E-M-S, room.

20 A I do not know what that is.

21 Q Were you in a room that contains the
22 ICC?

1 A I was.

2 Q And was somebody there with you all
3 the time or --

4 A Yeah. Misty Hampton was always
5 there. We never were in -- anywhere in her office
6 area without supervision of one of the election's
7 personnel.

8 Q I asked you about the motherboard on
9 the Dell computer and whether it would have had a
10 bluetooth or wifi chips. And let me just follow up
11 with that line of inquiry.

12 Did you do anything to -- other than
13 that observation, do you know of any other way that
14 that machine was connected or was capable of being
15 connected to the internet?

16 A There was one other potentially, and
17 that is through -- there was a bridge to the EMS,
18 and I have no idea if that EMS was in any way
19 connected to any other network.

20 Q Do you know whether Clay Parikh ever
21 got a copy of the Coffee EMS files?

22 A Who is that now?

1 Q Clay, the gentleman we saw in the --
2 well, never mind. Let me skip over that.

3 Do you know Michael Lindell?

4 A I do know Mike Lindell. I -- well,
5 do I know Mike Lindell? I know who he is, let's
6 put it that way.

7 Q And have you communicated with him or
8 his attorney, Kurt Olsen?

9 A I have not.

10 Q Did you ever hear that Misty Hampton
11 was going to get --

12 A Let me -- let me -- let me be precise
13 about Mike Lindell. I had a brief, probably
14 30-second, interaction with him at a meeting in
15 Washington, D.C., period. And then I was at an
16 event in Tre Ritos, New Mexico, I was a speaker, he
17 was speaker. I never spoke with him while -- at
18 that event, nor at any other time.

19 Q And --

20 A And same with Chris Olsen.

21 Q And did you -- did you ever learn
22 that Mike Lindell had offered Misty Hampton a job?

1 A That's the first I've heard of that.

2 Q Were you aware that Mr. Lindell came
3 to Douglas, Georgia about a month after you left?

4 A I was not aware of that.

5 MR. BROWN: Those are all of my
6 questions at this time. And at this moment we may
7 take a short break and I'll give it to Caroline for
8 the Curling Plaintiffs. Thank you very much, sir.
9 I appreciate your time today.

10 THE WITNESS: You're welcome.

11 MR. CLEMENTS: Bruce, how much time?
12 Ten minutes? Fifteen?

13 MR. BROWN: Caroline, ten minutes?
14 Fifteen? What sounds good?

15 MS. MIDDLETON: That sounds great
16 yeah. Let's go with ten.

17 MR. BROWN: Ten's good. Thanks
18 again.

19 MS. MIDDLETON: Okay. Thanks.

20 VIDEOGRAPHER: Going off the record.
21 The time is 3:52 p.m.

22 (Recess from 3:52 p.m. to 4:11 p.m.)

1 VIDEOGRAPHER: Going back on the
2 record. The time is 4:11 p.m.

3 EXAMINATION BY COUNSEL FOR CURLING PLAINTIFFS
4 BY MS. MIDDLETON:

5 Q Hi, Mr. Lenberg. My name is
6 Caroline.

7 A Hello. Nice to see you. Your camera
8 just has you cut off at the nose.

9 Q Okay. Let me try. Thank you.

10 A I can't quite see you. There we go.
11 Now we can see you. Nice to meet you.

12 Q Thank you.
13 Let's see if it stays. Did it go
14 back?

15 A That's a little better.

16 Q All right. Great.

17 So I represent the Curling
18 Plaintiffs. We are co-plaintiffs with the
19 Coalition, Mr. Brown, who you spoke with earlier.
20 And I appreciate you being here today. It gets
21 long, so if you need breaks or more frequent
22 breaks, I'm happy to stop at any time, just let me

1 know.

2 A Okay.

3 Q All right. So you testified earlier
4 that you went to Coffee County for a couple of
5 reasons, and I just want to see if I understand
6 them. Correct me if I'm wrong. I think one of
7 them was to test whether you could recreate
8 Dominion reconfiguring the machines remotely, was
9 one thing I heard. And another thing was to test
10 ICP or ICC reversal rates, whether there were
11 anomalies with the machines that were related to
12 the machines or not. Those two issues. Is that
13 correct, sir?

14 A Pretty close. The first one was not
15 to try to remotely do it, but to try to create the
16 same behavior of the -- of the -- what appeared to
17 be reconfigurations. So just to be a little more
18 accurate, we were trying to see if we can get it
19 back into that state that it was in when it was
20 taken out of that state apparently remotely. So we
21 weren't trying to remotely access it, we were
22 trying to get it back -- we were trying to get the

1 configuration to do what it did during the runoff.

2 Q Was there any other reason that you
3 went to Coffee County?

4 I ask because there is a January 5th
5 text from Jim Penrose to a group, which included
6 you, and this is on Exhibit 3 that says, that, "We
7 want to get to the bottom of any outside access to
8 your voting machine." So I was wondering if you
9 could talk to me about that and tell me what you
10 think that meant.

11 MR. CLEMENTS: Caroline, which --
12 which --

13 MS. MIDDLETON: So it's on Exhibit 3,
14 on the first page.

15 MR. CLEMENTS: Okay. And what date
16 and timestamp?

17 MS. MIDDLETON: Okay. One second,
18 sir. It's a January 5th -- 15th text. I'm just
19 going to go to it myself. I didn't write down the
20 time, but if you will bear with me. It is at
21 10:54, it's about in the middle of the page on the
22 first page. It says, "So we can get to the bottom

1 of any outside access to your voting machines."

2 So --

3 MR. CLEMENTS: The message from Jim
4 Penrose?

5 MS. MIDDLETON: I'm sorry, sir, could
6 you repeat what you said?

7 Jim Penrose to a group that
8 included Mr. Lenberg, is my understanding.

9 MR. CLEMENTS: Yeah, but I think the
10 statement that you're referring to was made by
11 Mr. Penrose.

12 MS. MIDDLETON: Yeah, I was just
13 trying to get context to see what Mr. Lenberg
14 understood that to mean.

15 THE WITNESS: Correct. It means
16 exactly whatever I said, the reason that I went
17 there was that we could try to determine if it was
18 reconfigurable. In other words, did they have the
19 possibility of making that machine to remotely
20 change that configuration. So that's consistent
21 with what I talk about here, is we were concerned,
22 she was concerned, we were concerned, that Dominion

1 had reconfigured their own machine to make it work
2 and did it without touching the machine. So -- and
3 that's when I subsequently found out looking at the
4 specification sheet for that model of Dell computer
5 that it has a wifi and bluetooth built in on the
6 motherboard.

7 BY MS. MIDDLETON:

8 Q Understand. Thank you, sir.

9 I also wanted to ask you about
10 another reason that you may have been in Coffee
11 County. And this relates to a report that you did
12 on June 9th from 2021, that was filed in the Antrim
13 lawsuit where you described a vote-stealing attack
14 that could be carried out with access to an EMS.

15 And I'm wondering whether or not when
16 you were in Coffee County if you had an opportunity
17 to test this or a similar attack in Coffee County?

18 A Can you be more specific about
19 which -- I did a lot of expert reports and in
20 Antrim.

21 Q Sure. Sure.

22 MS. MIDDLETON: Yeah, if we would

1 mark Tab 14 as the next exhibit, that would help
2 you, I think.

3 THE WITNESS: Yes, that would be very
4 helpful. Exhibit 14 -- or wait, was it Tab 14
5 or --

6 MS. MIDDLETON: It's Tab 14, sir. I
7 don't know -- I think it should be Exhibit 16.

8 MR. CLEMENTS: Okay. We're bringing
9 up 16 -- 16 is --

10 COURT REPORTER: I think it should be
11 17.

12 MS. MIDDLETON: Seventeen. Okay.

13 THE WITNESS: Okay.

14 (Lenberg Deposition Exhibit Number 17
15 marked for identification.)

16 BY MS. MIDDLETON:

17 Q So in here you describe a
18 vote-stealing attack that can be carried out with
19 access to an EMS. And my question for you is
20 whether or not you were able to test this or a
21 similar attack in Coffee County?

22 A Give me just a second to --

1 Q Okay.

2 A -- re-read this. At least the
3 executive summary --

4 Q Sure.

5 A -- so I can remember which one it
6 was.

7 Q Let me know when you're ready.

8 A Okay. I've re-read it. What's your
9 question again now?

10 Q My question, sir, was whether or not
11 you were able to test this or a similar attack in
12 Coffee County?

13 A No. This -- this -- it was an --
14 yeah, no, I did not, nor was I -- let's see. What
15 I am talking about is a potential attack here.
16 Okay? Not one that I observed, but one that I'm
17 very concerned about. And the fact is that the
18 election files are generated on the election
19 designer software by a third party, almost never
20 the county. And, for example, ElectionSource, a
21 subcontractor for Dominion in the case of Michigan.
22 And so the concern is that even without the

1 knowledge of the person running the election
2 designer, if that software is subverted, it runs a
3 bunch of macros that the person running it has no
4 idea what the software is doing, when it creates
5 the election files, you push a button and it does
6 all these things that show up in the system log
7 file and show that that's occurring. You know, but
8 they have no idea, the person running it has no
9 idea what it's actually doing.

10 And as part of it, it generates the
11 election files and it encrypts them. So from then
12 on, no one even knows -- as a good security
13 measure, no one even knows what's in those election
14 files.

15 Q Uh-huh.

16 A Those then goes into a project file,
17 which is then delivered to the county. That's how
18 it's typically done. The project file is
19 physically delivered to the county in some way.
20 Most often it's physical. I understand sometimes
21 they transmit electronically, which is not a good
22 idea because that means EMS is hooked into the

1 internet. And they do that in Michigan, and in
2 some places, and they said they're going to stop
3 that practice, but they have actually done it.

4 So it's delivered to the EMS. And
5 then that is what's used. Once that project file
6 is loaded onto the EMS, the Election Management
7 System, then the county election people are able to
8 burn the CompactFlash cards, or the SD cards
9 depending on the situation. But the CompactFlash
10 cards that then have those election files that can
11 go into the tabulator. The CompactFlash cards gets
12 inserted into the tabulator.

13 So what I was pointing out in this
14 report is that single person, either insider or
15 outsider, that manage to get into the election
16 designer software, somewhere in the cycle, and
17 modify it, could affect every election that
18 election designer software touches.

19 Q So were you able to test this -- I
20 understand you said you didn't do it while you were
21 in Coffee County, or that's what I was asking
22 about, but were you able to test this attack with

1 Coffee County data or software or test this attack
2 in any relation to Coffee County?

3 A I was not able to do that from the
4 election designer software, no.

5 Q Okay. All right. Thank you.

6 And just following up on one more
7 reason you may or may not have been in Coffee
8 County. You had testified earlier that you were
9 trying to get Arizona data to analyze. And --

10 A Uh-huh.

11 Q -- there was a text from Doug Logan
12 to Greg Freemyer, who's at SullivanStrickler,
13 saying, "I'm on-site at Coffee" -- and this is
14 Mr. -- this is Exhibit 3 on page 4, a January 19th,
15 2021 text.

16 A Okay. So --

17 Q Going back to Exhibit 3. I apologize
18 for jumping around on you.

19 A All right. So I'm at Exhibit 3.

20 MR. CLEMENTS: And if you could give
21 us a page number, please.

22 MS. MIDDLETON: Page 4, sir. And

1 it's January 19th.

2 MR. CLEMENTS: Okay. And you're
3 identifying messages between a Greg Freemyer and
4 Doug Logan?

5 MS. MIDDLETON: Yes, sir. And so
6 I -- yes, I'm just going to ask --

7 THE WITNESS: And what time? Which
8 one?

9 BY MS. MIDDLETON:

10 Q There are two, sir. There's one that
11 starts, "I am on-site at Coffee. I think we
12 figured out how to access the CompactFlash of the
13 ICP." And then a second one is, "Any
14 recommendations on how to best image that following
15 all appropriate protocols, et cetera."

16 A I don't see it.

17 Q Am I on the wrong page?

18 MR. CLEMENTS: Well, I think you're
19 asking him to provide an answer on someone's else
20 statement. So at --

21 MS. MIDDLETON: I'm laying it for
22 context, sir. I'm just trying to ask him if there

1 was a separate reason he had testified he was
2 trying to get Arizona data to analyze. And my
3 question is whether or not you were in Georgia
4 trying to get -- trying to image any of the
5 election equipment.

6 THE WITNESS: I was not.

7 BY MS. MIDDLETON:

8 Q Were you able --

9 A I was not. Strickland and Sullivan
10 apparently had already gotten the image, I was not.

11 Q Did you image any election's
12 equipment in Coffee County?

13 A Did I do what?

14 Q Did you image any election's --

15 A No.

16 Q -- equipment in Coffee County, sir?

17 A No, I did not.

18 Q Why did Doug Logan accompany you to
19 Coffee County?

20 MR. CLEMENTS: Don't speculate.

21 THE WITNESS: It was to help me do
22 testing. That's not speculating. I mean, it was

1 to help me do the test that we did on the ICP and
2 the ICC.

3 BY MS. MIDDLETON:

4 Q What did you need help with that, for
5 example, Ms. Hamilton or her daughter could not
6 help you with?

7 A We were observing two different
8 things. We were not doing it, we were observing.

9 Q Uh-huh.

10 A And so Doug observed the ICP and I
11 observed the ICC.

12 Q Okay. All right.

13 So turning now to what you did do in
14 Coffee County. In Exhibit 9, there were -- we had
15 looked at some pictures of you walking into the
16 election's office. And in those pictures, we had
17 talk about -- or you had talked with Ms. Brown
18 about a ring light, but I noticed that you are also
19 holding a backpack. And you testified that you
20 typically bring a lot of stuff that you may or may
21 not use. And I'm curious what kind of stuff that
22 you typically bring with you when you visit an

1 election's office?

2 A I -- I just carry all kinds of stuff
3 with me. You know, notepads, laptop. You know,
4 you name it, I carry it, that I might need at any
5 point in time.

6 Q Can you list anything --

7 A By the way --

8 Q -- other than a notepad or laptop?

9 A By the way --

10 Q I'm sorry, sir.

11 A Let me note, we're looking at that
12 picture. You said Exhibit 9, Tab 17, it shows the
13 ring light. Just so people will know, I was
14 holding that over my head because it was raining.
15 Okay? That was to keep the rain off my glasses.

16 Q Okay. I can see that, sir.

17 A So some people might think it was to
18 cover up from the video. I knew the video was
19 there, I was not trying to cover up from it, I was
20 trying to keep the rain off my glasses. Okay?

21 So anyway, what was your question
22 again?

1 Q I was asking you, sir, if you could
2 remember anything other than a laptop and a
3 notebook as far as what you would typically bring
4 with you when you would visit an election's office.
5 For example, were there any tools or anything else
6 in that backpack, because it was pretty full?

7 A It's always full of stuff. There's
8 cords. You know, there's probably food in there.
9 I bring stuff. And another one you saw me carrying
10 in some bottles of Gatorade or something. So I
11 probably had snacks in there. You know, you name
12 it. I don't know, a -- a -- what do you call them,
13 a battery bank for a phone and so on. It's -- it's
14 full of that kind of stuff typically.

15 Q Do you typically bring -- would one
16 thing be a USB?

17 A A USB what?

18 Q Any kind of flash drives or thumb
19 drives or anything along those, removable media?
20 Anything like that?

21 A Very possibly I would have had those
22 with me. I typically have some.

1 Q What about a camera? Do you
2 typically bring a camera when you visit?

3 A I sometimes do.

4 Q Uh-huh.

5 A And I may have had one in there. I
6 can't tell you for sure.

7 Q And as far as the ring light, you
8 testified that you couldn't recall whether or not
9 you used the ring light for any videos or
10 photographs. Do you remember whether or not you
11 did any zoom calls from the election's office while
12 you were there?

13 A That's a good question. You know,
14 we're talking a couple of years ago almost. I
15 cannot recollect. I -- I cannot recollect either
16 way if we did a zoom call or the equivalent. I --
17 I don't know.

18 Q If you had done a zoom call, and this
19 may be from visits to other, would you typically
20 use it for -- doing a record of what you were
21 testing, or what would you do a zoom call for?

22 To loop in someone from the -- you

1 know, to talk to someone else who is directing your
2 testing, for example?

3 MR. CLEMENTS: I'm going to object to
4 the form of the question. It's very ambiguous.

5 THE WITNESS: Yeah, can you specify
6 more clearly, please?

7 BY MS. MIDDLETON:

8 Q Did you talk a zoom call -- did you
9 talk over zoom with anyone who was directing your
10 testing?

11 A Not that I recollect.

12 Q Did you use that ring light for any
13 other purposes, such as to -- for better lighting
14 in the election's office?

15 A I don't really remember if I --

16 Q Do you ever --

17 A It may have been used for lighting.
18 That would not be unusual just because I have eye
19 problems. I'm blind -- nearly blind in one eye.

20 Q So what -- when you -- you say it
21 wouldn't be unusual, what would you be lighting --
22 what would you illuminating with a ring light, sir?

1 A Just something that even to read a
2 piece of paper, sometimes I need light.

3 Q Would it be to illuminate any pieces
4 of the equipment, such as a motherboard?

5 A I don't know. I -- I'm not -- I --
6 we did not look at a motherboard on -- we didn't --
7 we did not access -- that's been asked before, but
8 I did not access that -- that machine, the Dell.

9 Q And on September 11th you did a
10 podcast. And one of the things that you talked
11 about in that podcast was that your head works like
12 black hat.

13 Do you recall that, sir?

14 A I do.

15 Q Okay. What is a black hat?

16 A Well, there's a little different
17 terminology across the industry. I -- I wasn't
18 deeply embedded in the industry, I will just say
19 this that we went beyond penetration testing at
20 Sandia National Labs. We really looked to see on
21 national-level systems whether or not someone had
22 penetrated them. In other words, we were really

1 looking at -- acting like we are the bad guys and
2 trying to figure out what they would try to do and
3 then go look for that specific kind of stuff.

4 So yes, penetration testing was part
5 of that, but in addition, we -- we really did a
6 much more broader and -- and even more specific
7 look. And we -- at Sandia, we called ourselves
8 black hats.

9 Q And for that penetration testing
10 or -- do you believe that you would have been able
11 to hack the election's equipment at Coffee County?

12 A Would I have been able to hack it?
13 I -- I can't see whether or not I would have been
14 able to hack it.

15 Q Would you use the word penetrate --
16 would you have been able to penetrate the security
17 of that election's equipment?

18 A Again, without having actually tried
19 to do it, I don't know. And I did not try to do
20 it.

21 Q Do you think you're capable of doing
22 it, sir?

1 A Me personally, I -- that would be
2 speculation.

3 Q Why wouldn't you be able to do it,
4 sir, with your experience?

5 A I usually have a team of a lot of
6 people behind me, with a lot of expertise in a
7 bunch of different areas. I'm very broad, I do
8 software, I do hardware, I do a lot of different
9 things, testing, and so on, but I rely on experts
10 in different areas to be able to do very specific
11 things, like a Doug Logan or a Ben Cotton. I'm
12 neither one of those. I'm not a cyber IT expert
13 like Doug Logan is, I'm not a forensics expert like
14 Ben Cotton is.

15 I am a very broad-base guy that looks
16 across the whole thing, including personnel and all
17 kinds of different aspects of vulnerabilities
18 and -- and penetration. But I usually have a team
19 with me. And, in fact, my opinion is our systems
20 and what we've seen, the flaws and the failures,
21 that have been highlighted in various different
22 places, that the United States Government should

1 have literally hundreds of people working on this
2 to get to the bottom of it. And, to my knowledge,
3 there's been absolutely nothing done, and that very
4 much concerns me.

5 Q So let's talk more about your -- you
6 had testified about your extensive background in
7 testing and designing these tests. I didn't see in
8 any of the documents that you produced, but maybe
9 it came today, but I'm wondering, did you create a
10 log of the testing that you did in Coffee County?

11 A No, I did not, other than what I
12 produced in the notes about the different
13 configurations, you know, they were scribbles
14 really, that we asked Misty to set it to de-skew,
15 or whatever, and then she ran a bunch of ballots
16 through the ICC and we saw the results come up on
17 the EMS and they matched, okay, until we were able
18 to make it not match. So that is the extent of it.
19 I didn't have any formal log like you would have if
20 we were doing formal testing, which we weren't.

21 Q So if I could direct you to Exhibit
22 3, sir. This is on page 13, it's a January 20th

1 text.

2 MR. CLEMENTS: Page again?

3 MS. MIDDLETON: Thirteen, please.

4 BY MS. MIDDLETON:

5 Q One of the things that you wrote
6 to -- you texted to a group titled, "Special Report
7 is, "We need to make the testing and recording very
8 systematic."

9 A Where do I say that? Which
10 timestamp, please?

11 Q Okay. One second, please. It's at
12 6:11 on January 20th. It's kind of right in the
13 middle of the page.

14 A 6:11. There, I see it. "Also I'm
15 make a revisit" -- (witness reading document.) "We
16 need to do a lot more to make it bulletproof and --
17 we need to make testing and requirements
18 systematic."

19 Yeah, what I was referring to there
20 was the fact that we were very haphazard because we
21 were so understaffed and there were so many
22 different anomalies occurring over all the place,

1 it was sort of my plea for, "Let's get some extra
2 help to really, you know, manage all of this."
3 Because it was like drinking from a firehose, there
4 were so many problems all over the place.

5 Again, I could have used the staff of
6 at least 50 to 100 people to just try to track all
7 this stuff down that really I feel like our
8 government should have been tracking and
9 investigating states and the federal should have
10 been doing investigations all over the place. And
11 to my knowledge none were done.

12 Q So for the stuff --

13 A I never ran into an investigator
14 anywhere.

15 Q So for the Coffee County work, then
16 is it correct that you did not follow a systematic
17 progress?

18 A I did not log it. I did what I
19 consider systematic testing as far as going through
20 a sequence to try to get it to misbehave. I took,
21 you know, what little notes I did there to show the
22 results. And so I did it at that level. When

1 you're doing, for example, satellite testing, it
2 would be very, very formal with, you know, all
3 kinds of detailed records and -- and, you know,
4 very detailed stuff going on. We didn't have the
5 resources or staff to do that, and that's what I
6 was complaining about there --

7 Q I got it.

8 A -- is that we really need to get more
9 help.

10 Q I got it.

11 When you were in the Coffee County
12 election's office, were you in the same room as the
13 EMS server? Were you the little room that's -- I
14 think that was the one where the investigator came
15 in to.

16 A Not correct. I was in the same room
17 as the ICC and the EMS with Misty Hampton.
18 Ms. Hampton, the election supervisor, invited me in
19 there to observe her running. That's where her ICC
20 was, was in that room. And I believe that's -- to
21 my knowledge, that's where it normally is. And so
22 yes, I was invited in there to watch her run it.

1 Her office is right next to that, and
2 that was the room I was sitting and talking with
3 her in the office when that investigator came in --

4 Q Okay.

5 A -- it was in her office, yeah.

6 Q Thank you for that clarification.

7 Were you in the same room?

8 We just talked about the EMS server
9 and the ICC. Were you ever in the same room as the
10 ICX -- the ICXs or the ICCs?

11 A I was never, to my knowledge, in the
12 room where they stored their ICPs. And I forget
13 how many of them they had, but they had a storage
14 room in there somewhere with the equipment stored
15 in it. It is, by the way, not that room in your
16 video and so -- or the video that was put out,
17 that's not where the ICPs are stored, they're
18 stored somewhere else. When I was there, that
19 equipment was not in that general admin room that's
20 out front when you first come through when you come
21 in.

22 Q What about the ICXs, the BMD

1 machines, were ever in the same room as them?

2 A I'm trying to recollect where Misty
3 ran the ICX. I -- I can't not tell you for sure
4 where she ran it. I don't know.

5 Q Did you --

6 A I know she accessed it to make the
7 test ballots. Where it was located, I -- I'm not
8 sure. I -- I don't know.

9 Q How much time would you estimate you
10 were in with that equipment in the office, the EMS
11 server and the ICC for example?

12 A It's pretty much what you -- what
13 I've already testified to. So it was on the 18th,
14 in the evening, through the afternoon of the 19th,
15 that's when I was in that room with Misty Hampton
16 at all times.

17 Q So while you were at the election's
18 office, you were with the equipment. Is that
19 correct, sir?

20 A No. The election office -- well, it
21 depends on how you define it. Do you want to
22 define what you mean with the equipment?

1 I mean, there's equipment in the
2 building. Do you mean in the same room as the
3 equipment was in?

4 Q Right, in close proximity, sir, yeah.

5 A Most of the time I was at that
6 office, I was not in room with the equipment.

7 Q Were you ever alone with any of the
8 equipment?

9 A Never alone with any of the
10 equipment.

11 Q If I could just go back, sir. I know
12 we talked about the ICX, but I -- is it your
13 testimony that you weren't -- you didn't -- you
14 weren't with the ICX at the Coffee County? I
15 understood that you were.

16 A I --

17 Q And Misty brought it into her office
18 while you were there. Is that not correct?

19 A I don't know -- I don't recollect
20 where she made the ballots. She could have made
21 them in her office, I don't know. It would be
22 speculation. I don't know where she did it. I

1 don't recollect where she did it. I know she made
2 them on the ICX. In any case, I was never alone
3 with it, if I was even with it. I don't -- I don't
4 recollect me being with it.

5 Q So let's go back then, if we can
6 circle back to the actual testing that you were
7 there to do. One of the things is we talked about
8 at the very beginning was testing to see whether
9 you could recreate Dominion reconfiguring the
10 machines. And you were testing to see if you could
11 exploit that same vulnerability. Is that correct,
12 sir?

13 A I was trying to see if we could get
14 it back into the state that they took it out of
15 on -- apparently took it out on election night,
16 that's correct.

17 Q And can you walk me through that
18 testing if you were just doing step by step, tell
19 me --

20 A Yes.

21 Q -- more about that, please.

22 A Yes, I can.

1 So it's already been mentioned that
2 we were -- well, Misty was running the machine and
3 we went through -- and my notes show this, that
4 we -- I had already identified that scanner
5 settings -- and this is my previous testimony, I'm
6 just repeating, but the scanner settings stuck out
7 to me, that that was an inappropriate application
8 to be available in that software for anybody at the
9 election office to be able to modify.

10 So because it was a red flag, I
11 thought, well, maybe someone is using that to -- a
12 bad guy using that interface to be able to set
13 their settings. Okay. So what we did is we went
14 through one by one, we started going through those
15 settings, modifying it and running a batch, modify
16 it, run a batch, modify it, run a batch. There
17 were a bunch of batches. We ran a bunch.

18 And the reason we did for each
19 setting run quite a few ballots was that the
20 concern was there might be a trigger level and so
21 we wanted to make sure we would exceed the trigger
22 level, if there was a level trigger, we wanted to

1 exceed it. So we ran quite a few ballots through.

2 And for the bulk of the testing, the
3 machine worked perfectly. It started out working
4 perfectly. It worked perfectly that evening of the
5 18th. And on the 19th it worked perfectly most of
6 the day. And towards the end of the time, the last
7 hour or so was when we finally did that last
8 parameter change, which was the one I described as,
9 "ignore red, ignore blue, ignore green or none."

10 And we changed it from "ignore red" to "none," and
11 that's when the machine went into what appeared to
12 be the exact same misbehaving state from the runoff
13 night where she had so much trouble with it.

14 Q And when you were making these
15 parameter changes --

16 A I wasn't making them -- excuse me. I
17 wasn't making them, Misty was making those changes.

18 Q Okay. At your direction. Is that
19 right, sir?

20 A That's correct.

21 Q Okay. So were you altering any
22 programs or settings on the -- this was on the ICC.

1 Is that correct, sir?

2 A ICC.

3 Q Okay.

4 A This is the high-speed scanner
5 ImageCast Central.

6 Q So on the -- were you -- were you --
7 did you alter any programs or settings when you
8 were doing these -- changing these parameters?

9 MR. CLEMENTS: Objection. Once again
10 to form. You -- he's already established that he
11 did not touch anything to alter. Misty was in
12 physical possession of the machine. And the
13 continuing asking the question basically implicates
14 that he's the one touching it is improper.

15 BY MS. MIDDLETON:

16 Q Did you direct Misty Hampton to alter
17 any programs on the ICC, sir?

18 A Not to alter any program.

19 Q What did you direct her to alter,
20 sir?

21 A As already reported, I recommended to
22 her that we change -- that she change the date so

1 that in case that was causing the trigger, that was
2 a trigger requirement, that it would meet that
3 requirement. So she did change the date on it. So
4 that was one thing that was changed.

5 Q Did you change anything else, sir?

6 A You know, I believe there was one
7 more that --

8 MR. CLEMENTS: Objection once again
9 to directing whether he's changing things. You
10 need to be more precise on the record, please.

11 BY MS. MIDDLETON:

12 Q Did you direct Misty Hampton to
13 change anything else, sir?

14 A Yes, there was one other item that
15 comes to my mind and that was something else that
16 stuck out as a red flag as I was looking at the
17 documentation, and that was that there was a
18 setting that was a bolded to not change it in the
19 documentation. And since I think outside of the
20 box, I thought we probably need to change that
21 because they made a big deal about not changing it.

22 And what it had to do with was

1 whether -- it was a crazy setting about how many
2 ballots you could run in a batch. Okay. And
3 typically when you put the ballots in, the default
4 is that it -- whatever stack you put in, it runs
5 and stops. And the next set you put in will be a
6 new batch. This particular setting, you could
7 change it so that it would add them to the same
8 batch until -- until you told it not to. And the
9 documentation said, you know, "Only do this if you
10 need to exceed the input bin of the ICC." And the
11 input bin was, like, 500 ballots, or something, it
12 was very large, and it might have even been higher
13 than that. It was one of those things that
14 probably would never expect nobody to use, but they
15 bolded it and said, "Don't change it unless you
16 absolutely need to run more than, you know, the
17 capacity of the scanner."

18 So we went ahead, Misty changed it.
19 And the reason I did that was that it enabled a
20 batch to be a larger number. Remember I talked
21 earlier about a trigger. And if it's triggering on
22 a certain number in a batch, you want a higher

1 number to get past the trigger level. So I asked
2 her to change that setting so that it would be able
3 to create larger batches. So other than that, I
4 don't believe I changed any others.

5 Q And maybe this is asked, and excuse
6 my ignorance, sir, if I'm asking the same thing.
7 But did you change -- or did you direct Ms. Hampton
8 to change any settings on the ICC?

9 My previous question is whether you
10 changed any programs, so if we could talk about
11 that.

12 A Any settings on what?

13 Q On the ICC, sir. So I'm just trying
14 to get at -- I had asked you before if you had
15 changed -- if you had directed Ms. Hampton to
16 change any programs, so I'm trying to drill down
17 and see if you changed any setting -- if you
18 directed her to change any settings, sir?

19 A The ICP has very limited ability to
20 change items on ICP. It's all pretty much locked
21 in in the configuration files that are on the
22 CompactFlash cards in those election definition

1 files and there's a set of configuration files.

2 So, however, you do get to set the date and time.

3 That is something when you boot up the tabulators,
4 it allows you to set the date and time.

5 So for the same reason that we did on
6 the ICC, we directed Misty to set the date and time
7 back to November some time close to the election or
8 maybe even on election day, I don't remember which
9 it was, to be able to get back into the correct
10 time frame in case there was a trigger mechanism
11 that required, you know, the date to be within a
12 certain window of the election.

13 Q We're still on the ICC, right, sir?

14 A The ICP, correct.

15 Q Okay. I'm sorry. I thought we were
16 talking about the ICC. So we -- you reset the
17 clock on the ICC, is that right, in the EMS?

18 MR. CLEMENTS: Objection again.

19 BY MS. MIDDLETON:

20 Q You directed Misty Hampton?

21 A I -- I think you've confused the two.

22 Q Okay. Straighten me out, sir.

1 A Okay. The ICC is the high-speed
2 scanner ImageCast Central --

3 Q Uh-huh.

4 A -- that has a Dell computer hooked to
5 a high-speed off-the-shelf optical scanner. That
6 Dell computer, through a bridge, is hooked to the
7 Election Management -- excuse me, Management
8 System. That's what we were talking about when I
9 was talking about changing the scanner settings to
10 de-skew and read red only and so on. So that is
11 much more configurable, the ICC, than the ICP.

12 The ICP is the ImageCast Precinct,
13 which is the slow-speed scanner that's typically
14 out in the precincts and does -- you know, goes
15 much slower. That is highly pre-configured with
16 very little configuration that you can change
17 on-site. And the one thing that everybody gets a
18 chance to do when you boot up from scratch is to
19 set the date and time. So when you power up the
20 ICP, it asks you typically for the date and time,
21 and you put in whatever date and time you want.

22 Q Okay.

1 A So we directed them on the ICP, the
2 precinct tabulator, the slow-speed guy, to set
3 the -- the date and time to that window I was
4 talking about similar to what we did on the ICC,
5 setting the date back.

6 Q Okay. And did you -- on the -- going
7 back to the ICC, sir, did you change any -- you had
8 mentioned configuration files. Did you change
9 any -- did you direct Ms. --

10 MR. CLEMENTS: Objection.

11 BY MS. MIDDLETON

12 Q -- Hampton to change any
13 configuration files?

14 A The answer is no, we didn't.

15 Q Did you direct Ms. Hampton to run any
16 programs on the ICC?

17 A Not that I recollect.

18 Q Did you -- did you direct Ms. Hampton
19 to install anything on the ICC to help you in your
20 testing?

21 A Not that -- not that I recollect at
22 all.

1 Q This testing was to help establish
2 whether or not Dominion had remotely accessed the
3 ICC. Is that correct?

4 A It was in that direction, yeah. It
5 was, "Could we reproduce the behavior, put it back
6 into the state that they apparently took it out
7 of" --

8 Q Uh-huh.

9 A -- "on election night?" And we were
10 able to accomplish that, that goal.

11 Q And what -- were you able to answer
12 that question, sir?

13 A We were able to answer the question
14 that you could get it -- by changing something on
15 the ICC, which was these parameter -- scanner
16 parameters, that I thought shouldn't be there, you
17 were able to.

18 And what this establishes is if you
19 have some sort of external access, via wifi,
20 bluetooth, or some other thing that happens to be
21 embedded that no one knows about, then you could
22 have, first of all, fixed it on -- on election

1 night and make it work properly or vice versa, you
2 could have remotely, via wifi or bluetooth, put it
3 into that state, or for that matter what it
4 establishes, I believe, is that you could pretty
5 much do anything you want because that machine was
6 also directly connected to the EMS, which means
7 that whoever had that access, assuming it was
8 really there, and it appears to have been there,
9 you could download the entire EMS software set and
10 download all the CompactFlash files, election
11 files, configuration files, everything could have
12 been downloaded, and that would have been a huge
13 problem. And I believe is a huge problem, just
14 like any EMS being connected to the internet. And
15 we know in Michigan, and many or places, EMS are
16 regularly connected to the internet.

17 Q Okay. So if I understand you right,
18 sir, you directed to -- directed Ms. Hamilton to
19 change a couple of settings and, therefore, you
20 were able to establish or redo whatever --

21 A Recreate.

22 Q -- you had done to get remote access.

1 Is that right, sir?

2 A We were able to recreate the
3 behavior.

4 Q By changing some program -- by
5 directing Mr. Hampton?

6 A My directing Ms. Hampton to
7 reconfigure some scanner settings, we were able to
8 reproduce the behavior from election night.

9 Q Okay. When you were doing that, sir,
10 did you direct Ms. Hampton to connect any external
11 devices to the ICC, to physically connect to the
12 ICC?

13 A Not that I recollect.

14 Q No keyboard?

15 A No.

16 Q Mouse?

17 A Not that I recollect.

18 Q Did you use or direct Ms. Hampton to
19 use a USB?

20 A Not that I recollect.

21 Q How did access or direct Ms. Hamilton
22 to access the ICC?

1 MR. CLEMENTS: I'm going to object
2 because "or" which is necessarily inclusive of
3 Mr. Lenberg. I want to be very clear that this
4 line of questioning is sloppy. And I'm -- I'm
5 tired of these objections. It's implicating what
6 could be denoted as criminal activity. And --

7 MS. MIDDLETON: Sir, if you could
8 please keep your objection to form. I will --

9 MR. CLEMENTS: Objection to form, but
10 I stated the same objection over and over again
11 and --

12 MS. MIDDLETON: And Mr. -- I'm sure
13 Mr. Lenberg understands the objections, sir. So I
14 will do my best --

15 MR. CLEMENTS: That's my
16 responsibility, to protect my client, so I'm
17 objecting to the "or." If you could ask it and
18 make sure that you are precise with who is doing
19 what.

20 MS. MIDDLETON: Okay. Sir, if you
21 could keep your objections to form, I will do my
22 best to do that also. Thank you.

1 BY MS. MIDDLETON:

2 Q Mr. Lenberg, we were talking about
3 how you directed Ms. Hampton to access the ICC?

4 A Not quite correct.

5 Q Okay. Can you explain to me how
6 that's not quite correct?

7 I'm wondering if you directed --

8 A Ms. Hampton --

9 Q -- physically, like at a computer or
10 if this was over a network?

11 A You're using the wrong term.

12 Q Okay.

13 A Ms. Hampton, by virtue of her being
14 an election supervisor, has full access to all of
15 the equipment, all of the software, she has access.
16 I did not direct her to access anything, she had
17 full access to it. What I directed her to do -- or
18 asked her to do, recommended she do, is change some
19 parameter settings having to do with the optical
20 scanner.

21 Q Uh-huh.

22 And what commands did you run -- or

1 direct her to run? What commands did you direct
2 Ms. Hampton to run in order --

3 A I did not --

4 Q -- to change the computer --

5 A I did not direct her to run any
6 commands.

7 Q And after you -- after you were done,
8 did you direct Ms. Hampton to change everything
9 back to its original state?

10 A I believe I did. That's my
11 recollection, that I asked her to put everything
12 back in the correct state.

13 Q And do you know if she did this, sir?

14 A No, I don't for sure.

15 Q Did you do anything to verify whether
16 she did this?

17 A I don't recollect to be honest if I
18 verified it or not.

19 Q So if we could switch from the ICC to
20 the ICP. We touched on it a little bit, and I
21 thank you for the explanation about how they're
22 different. That is helpful to understand that the

1 ICP is a little more simplistic and anyone can
2 change -- it sounded like from your testimony,
3 anyone can change the date on that as it starts up.

4 I believe you testified that you
5 directed Ms. Hampton to perform tests on the ICP
6 also. Is this correct, sir?

7 A That's correct. We -- we requested
8 it.

9 Q And some of these questions will be
10 the same, so if you will bear with me as we go
11 through them.

12 Did you direct Ms. Hampton to alter
13 any programs on the ICC -- ICP? Excuse me.

14 MR. CLEMENTS: Objection. Could you
15 please define how you mean alter?

16 BY MS. MIDDLETON:

17 Q Change. Did you change any programs
18 on the ICP, sir, or direct Ms. Hampton to change
19 any programs on the ICP, sir?

20 A Just to make it clear, I didn't
21 direct Misty Hampton to do anything. I did request
22 that she make changes. I was not somehow her

1 supervisor or her -- in charge of her.

2 Q I'm not -- okay. I'll use the word
3 "request." I don't mean to be offensive or
4 implying anything, so if -- whatever words you're
5 comfortable with, I will use those words.

6 A "Request" would be fine.

7 Q Okay.

8 A Thank you.

9 Q Okay. Thank you. I want this to be
10 a conversation, not to be -- have you feeling like
11 I'm attacking you. That is definitely not my
12 intent. So thank you for telling me that. So let
13 me start over on that line of questions.

14 So we were talking about the ICP.
15 And my question was: Did you ask Ms. Hampton to
16 change any programs on the ICP?

17 A Caroline, since we just switched to
18 the ICP, would it be okay to take a short break?

19 Q Could you just answer that one
20 question, please, sir, and then we can that a
21 break?

22 A Okay. Would repeat the question,

1 please?

2 Q Sure.

3 Did you ask Ms. Hampton to change any
4 programs on the ICP?

5 A No.

6 Q Okay. So we can take a break. Do
7 you need five minutes? Is that okay, or is ten
8 minutes better?

9 A Ten.

10 MR. CLEMENTS: Ten minutes.

11 THE WITNESS: Ten would be good.

12 Thank you.

13 MS. MIDDLETON: Okay. We'll see you
14 back in ten minutes. Thank you.

15 THE WITNESS: Thank you.

16 VIDEOGRAPHER: Going off the record.

17 The time is 4:58 p.m.

18 (Recess from 4:58 p.m. to 5:11 p.m.)

19 VIDEOGRAPHER: Going back on the
20 record. The time is 5:11 p.m.

21 BY MS. MIDDLETON:

22 Q Hi, Mr. Lenberg.

1 So we were talking about before the
2 break a message that Doug Logan had sent to Greg
3 Freemyer at SullivanStrickler. So if we would go
4 back to Exhibit 3, please, sir. I just wanted to
5 ask you a couple of follow-up questions.

6 A Which page?

7 Q One second, sir. It is on page 4, I
8 believe. It is -- we looked at those messages,
9 they're January 19th at 9:35.

10 A Okay.

11 Q And those are the messages that
12 say -- they're from Doug Logan to Greg Freemyer
13 again. "Hey, I'm on site at Coffee. I think I
14 figured out how to access the compact flash to the
15 ICP devices to get an image of the operating
16 system. Any recommendations on how to best image
17 that following all appropriate protocols?"

18 Do you see where I am, sir?

19 A I see where you're at.

20 Q And you were with Doug Logan at
21 Coffee County on that date. Is that right, sir?

22 A I -- at that time we had already

1 left, I believe.

2 Q You had -- on the 19th?

3 A Yeah. By that time -- was that
4 9:35 a.m. or p.m." That's a.m. We -- I believe we
5 were probably there at that time, if that was
6 morning, yeah.

7 Q You were with Doug Logan when he sent
8 that -- or maybe not in the same room, but you were
9 both in Coffee County when he sent that message to
10 Greg Freemyer?

11 A By the way, I don't know who Greg
12 Freemyer is.

13 Q Sure. Okay.

14 And did Doug -- I'm sorry. Go ahead,
15 sir.

16 A I don't know who is he.

17 Q Okay. He is an employee at
18 SullivanStrickler.

19 A Okay. I never met any of those
20 folks.

21 Q Sure.

22 Did Mr. Logan talk to you at all

1 about imaging the ICP device --

2 A No.

3 Q -- is what this message that he was
4 sending -- anything about that message -- relating
5 to this message that he was sending to Greg about
6 getting an image of the operating system?

7 A No. He didn't talk to me about it.
8 I have no idea what he's referring to.

9 Q Is the ICP device image on the
10 CompactFlash drive that we're waiting for the
11 password on?

12 A No, it is not.

13 Q Did you ever receive a copy of the
14 ICP device operating system that Mr. Logan is
15 talking about here?

16 A You need to be clearer because I
17 think you're mixing terms up.

18 Q Okay. So Mr. Logan is referring to a
19 CompactFlash of the ICP devices operating -- image
20 of the operating system of the ICP device. My
21 question for you, sir, is whether or not you got an
22 image of that?

1 A I do -- I'm looking at the record
2 here and I do not know what they were communicating
3 between them. I don't know Greg. I don't know
4 what Doug was referring to here. I think you need
5 to ask Doug, because I -- I really don't know what
6 they're referring to here. I honestly don't.

7 Q Uh-huh. Okay, sir.

8 We were talking about testing and we
9 went through the ICP and the ICC, and I was
10 wondering if we can change to the ICX. Did you
11 ever perform any kind of tests on the ICX while you
12 were at Coffee County?

13 A No.

14 Q Did you ever touch the ICX?

15 I think we talked about whether or
16 not you were in the same room as the ICX.

17 A I think you've asked this before or
18 at least someone has and --

19 Q Uh-huh.

20 A -- to my knowledge, I never touched
21 it.

22 Q Uh-huh.

1 What did you do with the Coffee
2 County EMS?

3 A Nothing.

4 Q Is it -- was it your earlier
5 testimony, sir, that you changed the clock -- or,
6 excuse me.

7 A No.

8 Q Let me go back.

9 That you directed Ms. Hampton to
10 change the clock on the EMS?

11 A That's correct, I requested that she
12 change it.

13 Q Okay. So walk -- if you could walk
14 me through everything that you requested
15 Ms. Hampton to do for the EMS, please.

16 A Okay. We're repeating whatever we've
17 already done before. Do you really want to do
18 that?

19 Q Yeah. So my understanding is I asked
20 you questions about the ICC, the ICP, and the ICX.

21 A Right. And we said on the ICX --
22 which one are we on now, ICX or the --

1 Q We're on the EMS, sir.

2 A Okay. There was no -- other than the
3 request on the clock, there was no other request
4 having to do with the EMS at all.

5 Q So you didn't ask Ms. Hampton to
6 change any other settings on the EMS?

7 A Not that I recollect at all.

8 Q Did you request that she change any
9 configuration files?

10 A No.

11 Q Has she run -- did you request that
12 she run any programs?

13 A No.

14 Q Did you request that Ms. Hampton
15 perform any other tests on any other equipment in
16 the office, such as pollpads, printers, any
17 peripherals, anything along those lines?

18 MR. CLEMENTS: Objection to form.

19 THE WITNESS: Yeah, do you want to
20 name specifically the question as --

21 BY MS. MIDDLETON:

22 Q Sure. We'll go one at a time. I was

1 trying to make it easier, sir, because it sounded
2 like you were getting exhausted from my questioning
3 on the equipment. I would be happy to identify
4 them one by one for you.

5 A Go ahead.

6 Q So if we could start with the
7 pollpads, sir. If we could go back and discuss
8 whether or not you asked Ms. Hampton to make any
9 changes to the pollpads or -- yeah.

10 A No.

11 Q Walk me through what you did with the
12 pollpads while you were at Coffee County.

13 A I did nothing with them other than
14 observed what -- demonstration from Ms. Hampton.

15 Q Did you perform any test -- did you
16 request that Ms. Hampton perform any tests on the
17 printers?

18 A No.

19 Q Did request that Ms. Hampton perform
20 tests on any peripherals?

21 A No.

22 Q When you completed your testing, how

1 did you make -- what did you do to ensure that any
2 changes made to any equipment wouldn't impact
3 future elections?

4 A Misty Hampton was a -- was a very
5 highly skilled election supervisor, who knew her
6 equipment inside and out. I recommended she change
7 them back. You would have to ask her to verify
8 whether she did or not.

9 Q Earlier today you testified that you
10 developed software in your line of work. Did you
11 develop any software related to Coffee County?

12 A No.

13 Q When you in the Coffee County
14 election's office, did you notice any security
15 flaws or vulnerabilities that concerned you about
16 the Dominion equipment?

17 A Several.

18 Q Are those ones you've already
19 identified, sir, or are there ones additional?

20 A I'm thinking. This equipment is the
21 same equipment that is used in Michigan, literally
22 the same model of ICP that is used in Michigan.

1 You're probably aware of my expert reports, those
2 are exhibits that you have. And in there, I
3 identified many vulnerabilities associated with
4 this equipment. And so those vulnerabilities apply
5 in Georgia just as well as Michigan even though I
6 identified them after Georgia.

7 So the answer to your question is,
8 the equipment has very significant vulnerabilities,
9 not just the ICX, but the ICP and the ICC. I also
10 identified vulnerabilities in Maricopa having to do
11 with the ICCs, very significant, very concerning
12 ones. And so those ICCs there are, I believe, the
13 same version that are used in Coffee County, unlike
14 the ICPs, they are a different version than
15 Maricopa, but the ICP is essentially the same. And
16 there are many vulnerabilities. I don't have time
17 right now. You can read the expert reports and
18 read some details on the Maricopa report where I
19 can tell you about those.

20 I'll just tell you one right now on
21 the ICC in Maricopa. And that is that out of the
22 2.3 million ballots cast in Maricopa County, when

1 we were allowed to do an assessment of the EMS
2 System, which we did under legal authority there in
3 that audit, what I discovered, and other guys
4 confirmed, other people confirmed as well, is that
5 the images from the early voting high-speed
6 scanners, which are the ICC machines, and they had
7 several of them, I believe they had six or eight of
8 them, in any case, they worked perfectly, all the
9 images were perfect up until November 1st, and
10 following -- starting November 1st, when we got
11 access to the system, there were hundreds of
12 thousands of ballot images that were corrupted.

13 That's a problem with the voting
14 system. If your security -- your verification
15 security, which is an image, is corrupted to where
16 you cannot read the image, it's like turning off
17 the video surveillance camera, right, for a
18 facility. A bad guy will defeat the camera so you
19 can't see what they're doing. And that's what
20 happened in --

21 Q Okay, sir.

22 A -- that's what happened in Maricopa.

1 Q Okay. Sir.

2 A So those -- those, I believe, apply
3 to Georgia as well.

4 Q Okay, sir. Thank you.

5 Doug Logan testified that you came up
6 with a way to access the system. Do you know what
7 he was talking about?

8 A I -- I don't know what he was
9 referring to there. It could have been anywhere.
10 That didn't necessarily refer to Georgia, it could
11 have referred to Michigan, other -- other locations
12 where work was going on at the time.

13 Q I'm going to go back to the text
14 again. And this is on Exhibit 3, page 4. It's a
15 January 18th text from Doug Logan again to Greg
16 Freemyer, who is an employee at SullivanStrickler.

17 A Which page?

18 Q Page 4, sir.

19 A Okay.

20 Q It's the big boxes in the middle of
21 the page that starts with, "Hey Greg. Question for
22 you." Do you see where I am?

1 A Yes, I see it.

2 Q It says, "Is there a log or something
3 similar I can look at to get a list of USB or other
4 devices plugged into a computer? Or perchance a
5 log of historical wireless connections made by a
6 system? In both cases it would be Win 10 box."

7 And Greg Freemyer responds saying, "I
8 use USB Detective for the USB side of that. Not
9 sure about the wireless side, but I would try with
10 IEF to see what it finds. I can probably run USB
11 Detective tomorrow. IEF maybe too."

12 A I --

13 Q What do you understand they are
14 talking about here, sir?

15 A I don't know, you would have to ask
16 Doug Logan or Greg Freemyer because I'm --

17 Q Did you find -- I'm sorry. Go ahead,
18 sir.

19 A I'm not sure what they're referring
20 to.

21 Q Did you find a list of USB or other
22 devices that were having been plugged into the EMS?

1 A To my knowledge, I -- I did not run
2 any applications.

3 Q What is an IEF, sir?

4 A I don't know. You would have to ask
5 them. I really don't know what it is.

6 Q So you testified earlier that the
7 easiest place to implant malware would be at the
8 voting machine company. Did you explore that in
9 your testing at Coffee County?

10 A That question doesn't make sense.

11 Q So did you test -- okay. I'll move
12 on.

13 Did you find --

14 A They're not -- Coffee County is not
15 the voting machine company so --

16 Q I understand that, sir. I'm trying
17 to get at the malware.

18 Did you find any malicious code in
19 Coffee County?

20 A I did not look for it. That's not
21 why I was there.

22 Q Did you insert any malware into any

1 Coffee County software or equipment?

2 A I did not.

3 Q Did you direct or ask Ms. Hampton to
4 install any malware?

5 A I did not.

6 Q Did you direct Ms. Hampton to install
7 anything on the election equipment?

8 A I did not.

9 Q You testified that you didn't touch
10 the equipment, but you did look at it. Is that
11 right, sir?

12 A That's correct.

13 Q Did you notice anything about the
14 equipment? I'm talking about the condition of the
15 equipment.

16 A You would have to be more specific in
17 your question, please.

18 Q Did you notice any damage to the
19 equipment, sir?

20 A Any damage to the equipment?

21 Q Right.

22 A I don't know that I was looking for

1 that. I -- I -- I -- I did not notice either way.

2 Q Did you notice any broken seals?

3 A I don't know. I -- I didn't look for
4 it.

5 Q So I'll just be specific. On the
6 ICP, did you notice any of the tamper evidence
7 seals were broken?

8 A I don't remember looking for it.

9 Q While you were there did Ms. Hampton
10 open any equipment?

11 A I believe she did.

12 Q What equipment, sir?

13 A She had a ICP that was being sent
14 back for repair. And she -- because she wanted to
15 know whether or not there was remote access, she
16 took the cover off, she's very mechanical minded,
17 and let us look inside to see whether or not there
18 was a modem inside the equipment.

19 Q By "a modem inside the equipment,"
20 sir, do you mean that someone installed a modem or
21 can you go into that more, please, sir?

22 A The question would be was there a

1 modem installed inside the equipment similar to one
2 of the reports in Michigan where we were allowed to
3 access equipment there and we found a modem
4 installed inside the equipment.

5 So this would be a card, a cell modem
6 card, if it was installed. That's what we were
7 looking for is whether or not there might have been
8 a cell modem. Because of the fact she was
9 concerned about the remote access to her equipment,
10 that that appeared to her to have occurred.

11 Q What did you find, sir?

12 A We found a slot that -- where you
13 could add in a card that was near the outside. It
14 appeared that it could have been a modem add-in,
15 there's is no guarantee, but we did not see
16 anything that appeared to a modem to us inside.

17 Q Did you find anything that appeared
18 that anything had been added at any time in the
19 past?

20 A Not that I could tell.

21 Q Did Ms. Hampton break any seals on
22 equipment when you were in the office?

1 A I do not know that. I -- cannot say
2 that because I didn't see her break any seals.

3 Q Did Ms. Hampton manipulate --

4 A I --

5 Q I'm sorry, sir. Go ahead.

6 A I -- I just don't know the answer to
7 whether or not she broke the seals.

8 Q Okay. Did you -- did Ms. Hampton
9 manipulate --

10 A You would have to ask her. Go ahead.

11 Q Did Ms. Hampton manipulate the
12 hardware in any other way that we haven't
13 discussed?

14 A Not that I know of, just that repair
15 unit that was being sent out to be repaired.

16 Q You had testified earlier today about
17 a Secretary of State investigator coming into the
18 election's office on January 26th while you were
19 there.

20 A Uh-huh.

21 Q Did you overhear his conversation
22 with Ms. Hampton?

1 A I did not.

2 Q Were you aware of whether or not he
3 gave Ms. Hampton anything?

4 A I am not.

5 Q Another topic you testified about
6 earlier today, sir, was about an open records
7 request that you made on January 27th. And I
8 believe your testimony, correct me if I'm wrong,
9 was that you made an open records request, but you
10 did not receive any data. Is that correct, sir?

11 A That's correct. The -- the paper
12 tapes and all that stuff, I did not ever get. What
13 I requested there, to my knowledge, I never
14 received what was on that request.

15 Q So is it correct, though, that you
16 left your USB or a thumb drive, but you never got
17 it back?

18 A I can't remember for sure if I left a
19 thumb drive there or not.

20 Q If we could go to Exhibit 14, sir.

21 A Okay.

22 Q At the top of it there's Misty

1 Martin, Ms. Hampton testing -- or no, she's
2 e-mailing Tracie Vickers. And she says, "He gave
3 me a thumb drive and I put it on the thumb drive."
4 I'm just wondering if that refreshes your memory at
5 all as far as giving Ms. Hampton a thumb drive to
6 put the information on?

7 MR. CLEMENTS: Objection to
8 foundation.

9 THE WITNESS: Can you rephrase the
10 question?

11 BY MS. MIDDLETON:

12 Q Did you give Ms. Hampton a thumb
13 drive in connection with this open records request?

14 A I may have given her one. As I said
15 I'm not positive, but I may have. And the idea
16 would be she could put stuff on it and send it to
17 me once they got approval for it. That's why I
18 would have given her one so they wouldn't have to
19 purchase one if -- if -- if I did give her one. I
20 honestly don't recollect if I gave her one or not.

21 Q Uh-huh.

22 A I guess I'm getting to be an old guy,

1 but yeah.

2 Q Did you make open records request
3 from other counties?

4 A I did. I did for Pierce County.
5 And -- and you have a record of that.

6 Q Uh-huh.

7 A And I actually did also for Liberty
8 County, for all the material I received from
9 Liberty County, I did a records request. I do not
10 have a copy of that, but that was gotten through a
11 records requests and produced by an election
12 supervisor there, but I could not find the -- a
13 copy of that records request.

14 Q Correct me if I'm wrong, sir, but I
15 understood your earlier testimony to be that you
16 received Coffee County data from Mr. Lynch and then
17 you returned it after you made a copy of it. Is
18 that correct, sir?

19 A I was directed to make a copy for an
20 unknown purpose and give it to them. And then at
21 some point after that, it was kept in a safe.
22 Mr. Lynch requested it back and I gave it back do

1 him out of that safe.

2 Q What software was that, sir?

3 A It was -- I truly -- it was whatever
4 was on that drive that was sent from Strickland and
5 Sullivan -- Sullivan and Strickler, I get their
6 name backwards.

7 Q SullivanStrickler, sir.

8 A -- that they sent from Georgia to
9 Michigan to Michael Lynch. So I --

10 Q Did you --

11 A I can't tell you exactly what was on
12 it other than it apparently was related to Coffee
13 County.

14 Q And did you share it with anyone
15 other than Mr. Lynch?

16 A No, I did not.

17 Q To your knowledge, did anyone receive
18 this data from Mr. Lynch?

19 A No. I don't know where that copy
20 went.

21 Q Do you know -- are you familiar with
22 Lindell symposium when the Arizona and Antrim data

1 was publicly distributed?

2 A I know a symposium occurred, I do
3 not --

4 Q Uh-huh.

5 A Yeah, I know a symposium occurred.
6 What's your specific question?

7 Q Do you know why the Coffee County
8 data wasn't leaked at that symposium?

9 MR. CLEMENTS: Objection.
10 Foundation.

11 THE WITNESS: I --

12 MR. CLEMENTS: Form.

13 THE WITNESS: I have no idea.

14 BY MS. MIDDLETON:

15 Q Earlier you testified that Stephanie
16 Lambert paid Ms. Hampton for technical help. Do
17 you know when the time frame for when Ms. Hampton
18 was providing services?

19 A I don't remember the exact dates. It
20 was after she was dismissed in Coffee County.

21 Q Do you know where the money came from
22 to pay Ms. Hampton?

1 A I have no idea.

2 Q Do you know how she was paid? For
3 example, was she paid by a check, cash, Venmo?

4 A I have no idea.

5 Q Do you know if she was salaried?
6 Hourly? Fixed fee?

7 A I have no idea.

8 Q Do you know how much she was paid?

9 A I don't know that either.

10 Q Do you know what specific work she
11 was doing?

12 A She came to help us understand,
13 because we were all learning, how to run an
14 election so that we could do the testing up there
15 that we needed to do.

16 Q And how long -- what was -- do you
17 know approximately the duration of her work?

18 A I don't remember exactly, but maybe
19 three days.

20 Q Do you know if she provided any work
21 product in connection with her services?

22 A Separate from training us, I don't

1 believe so.

2 Q Was Ben Cotton there when she was
3 doing this work?

4 A I cannot remember either way. It's
5 possible because Ben was in and out of there, so I
6 don't know. I can't confirm either way.

7 Q You talked a little bit about Mr.
8 Lindell earlier, that you met him at a hotel in
9 Washington D.C. -- or, excuse me, that you met
10 Mr. Lindell in Washington, D.C. Was this at a
11 hotel?

12 A It was.

13 Q Do you remember the name of the
14 hotel?

15 A The name was the Trump Hotel where --
16 yes, it was the Trump Hotel.

17 Q And how did you run into Mr. Lindell?

18 A I was asked to give a briefing, along
19 with a number of other people, and there were a
20 bunch of people in the room and one of the people
21 in the room was Mike Lindell.

22 Q Do you talk to Mr. Lindell?

1 A In no substantive way did I talk to
2 him. I think it was "hi." That was it.

3 Q And who else was there when you met
4 Mr. Lindell?

5 A I don't recollect all of the people
6 that were there.

7 Q Do you recollect --

8 A Uh-huh.

9 Q Do you recollect anyone, sir?

10 A Well, Jim Penrose was there.

11 Q Uh-huh.

12 A He was briefing with me. Sidney
13 Powell was there. She also did some sort of
14 briefing. There were three senators, U.S.
15 senators. There were --

16 Q Do you remember who they were, sir?

17 A -- they were participating.

18 One was Ron Johnson, who was trying
19 to find out more about what was going on with
20 anomalies and systems. I believe one was a senator
21 from North Dakota. And the other one I'm not sure.
22 I don't remember who it was.

1 Q Did you speak with Sidney Powell when
2 you were there?

3 A Again, like Mike Lindell, I did for
4 maybe 30 seconds of "hi," kind of stuff. That was
5 it.

6 Q Was Jesse Binnall or anyone from
7 Binnall's firm at this D.C. meeting?

8 A I don't know.

9 Q Have you meet Mr. Binnall?

10 A I don't know that I've ever met him.
11 If I did, I -- I don't know. I just don't know
12 that I've ever met him.

13 Q Is it fair to say you do not know him
14 then, sir? Or do you know Mr. Binnall?

15 A I don't know him. I've heard of
16 him --

17 Q Uh-huh.

18 A -- but I -- I do not know him
19 personally.

20 Q Do you know Mr. Giuliani?

21 A I have never met Mr. Giuliani.

22 Q After you left the Coffee County

1 election's office on January 29th, did you return?

2 Did you return to the Coffee County
3 election's office at any period of time after you
4 left on January 29, 2021?

5 A Not that I can recollect. I don't
6 believe I ever did.

7 Q You testified earlier about Misty --
8 Ms. Hampton's authority to -- that it was
9 sufficient for you to enter the election's office
10 and work with her on the election system. Is that
11 correct, sir? Did I get that correct?

12 A Can you be more specific of what
13 you're asking?

14 Q Is it correct that you testified that
15 you believed Misty's -- Ms. Hampton's authority was
16 sufficient for you to enter the election's office
17 and work with her on the election system?

18 A That's correct. That's similar to
19 what they do for public testing -- logic and
20 accuracy testing. The public is welcome to come
21 and observe that testing, anybody in the public is
22 welcome to do. And that's similar to what we were

1 doing.

2 Q So you understood that Ms. Hampton
3 had the authority to give you authority to be
4 there, to give you permission to be there?

5 A That's correct.

6 Q Do you know if the Coffee County
7 Board of Electors -- Board of Elections approved
8 her giving you this?

9 A I do not know.

10 Q Do you have any concerns that what
11 you did in Coffee County was illegal?

12 A No. I believe that -- my belief is
13 that as the election's supervisor in Coffee County,
14 that she had full authority to -- it's her
15 responsibility, it's my understanding, to make sure
16 that the election systems are secured and
17 functional and properly count votes and so on.
18 She's the person, I understand -- and this is true
19 across the country -- is that county clerks and
20 election supervisors are the ones who sign-off that
21 their equipment, their system, is ready for an
22 election that's been properly set up, inspected,

1 tested, and so on. So it's my belief that
2 Ms. Hampton had full authority to do that. It's
3 still my belief that she had full authority to do
4 that.

5 Q Did you investigate that authority at
6 all, sir, her -- her authority to grant you
7 permission?

8 A I -- no, I did not. You would have
9 to check with lawyers. I'm not a lawyer.

10 Q Did you look into whether the law
11 allows you to be in the EMS room under any
12 circumstance?

13 A You would have to check with lawyers
14 to find out. I'm not a lawyer.

15 Q No, I'm asking you, sir, whether you
16 investigated the -- looked into whether the law
17 allows you to be in the EMS room?

18 MR. CLEMENTS: I'm going to object.
19 You're calling for a legal --

20 MS. MIDDLETON: No, I'm asking -- I'm
21 asking him did he research the law to see whether
22 he would be allowed in the EMS room under any

1 circumstance.

2 THE WITNESS: It's my belief that the
3 election supervisor can demonstrate that equipment
4 any time they want to to anybody. There are
5 videotapes on the internet showing EMSs, ICCs being
6 demonstrated. That's exactly what Misty did, Misty
7 Hampton did. So it's my belief that it is legal,
8 even now, for any election supervisor to have the
9 authority to -- to demonstrate this equipment to
10 anybody they want any time they want.

11 BY MS. MIDDLETON:

12 Q Did you ask Misty -- Ms. Hampton
13 herself if she had authority to share all of that
14 data, all of the equipment with you?

15 A All of that data, all of the
16 equipment --

17 Q Well, did you ask Ms. Hampton if she
18 had authority to share the data with you, the
19 Coffee County data and software?

20 A Ms. Hampton was a very experienced
21 election supervisor, I am sure she knew the law
22 quite well, if -- if -- it's my belief, she knew

1 the law quite well and that if she thought any
2 request I made was inappropriate, she would have
3 told me no.

4 Q And, sir, I was asking you a
5 yes-or-no question.

6 Did you ask Ms. Hampton if she had
7 authority to share all that data or software with
8 you?

9 A I don't recall asking her that
10 question.

11 Q Have you heard anything about
12 Ms. Hampton considering a whistleblower lawsuit?

13 A I have not.

14 Q All right, sir. Let's take a
15 15-minute break. And then we'll get back together.

16 A Sounds good.

17 Q Thank you.

18 A Thank you.

19 VIDEOGRAPHER: Going off the record.
20 The time is 5:41 p.m.

21 (Recess from 5:41 p.m. to 5:54 p.m.)

22 VIDEOGRAPHER: Going back on the

1 record. The time is 5:54 p.m.

2 BY MS. MIDDLETON:

3 Q Hi, Mr. Lenberg.

4 This morning your counsel sent over
5 some zip files. Do you know who put the password
6 on those zip files?

7 A I do not.

8 Q Do you recall accessing the files
9 after they were password protected?

10 A I do not.

11 Q You don't recall?

12 A I don't recall.

13 Q Did your decision to terminate your
14 relationship with Stephanie Lambert have anything
15 to do with Georgia's Election System?

16 A No.

17 MR. CLEMENTS: And I'm going to
18 object, privileged to any other line of questions
19 about Stephanie Lambert.

20 Don't answer.

21 THE WITNESS: Okay. Thank you.

22 MS. MIDDLETON: That's it for me,

1 sir. I appreciate your time. I think a few --
2 some others on the call may have some questions for
3 you. It was nice talking to you.

4 THE WITNESS: Thank you.

5 MS. MIDDLETON: Thank you.

6 EXAMINATION BY COUNSEL FOR STATE DEFENDANTS

7 BY MR. PICO PRATS:

8 Q Hi, Mr. Lenberg. How are you?

9 A I'm doing okay. How about you? It's
10 been a long day.

11 Q I know.

12 A Other than that, I'm doing okay.

13 Q I think I might be the last one, I
14 think so, and I'll be by far the briefest.

15 A And who are you with? Who do you
16 represent?

17 Q I'm Javier Pico Prats. And I'm
18 representing the State Defendants of the case.

19 A Okay. Thank you.

20 Q And so just to follow up on a few of
21 the questions that you've been asked. At the
22 beginning -- so let me rephrase that.

1 You only went to Coffee County twice.

2 Is that correct?

3 A I believe that's correct.

4 Q Okay. And the first time that you
5 went, you mentioned that you were still learning
6 about election systems, correct?

7 A Well, both times when I went I was
8 coming up to speed on election systems. And a lot
9 of it was -- Ms. Hampton is quite an expert, she's
10 very knowledgeable, and so I was learning about
11 election systems. The current version of them. I
12 knew about past ones, obviously I'm 66, I've voted
13 in almost 50 years worth of elections now. So --
14 but the current, getting up to speed on it, Misty
15 is extremely knowledgeable, and so I was learning.

16 Q Okay. Then when --

17 A And by the way, as part of my
18 understanding, that is one of the roles of an
19 election supervisor, is to educate the public on
20 how their systems work. They regularly give
21 seminars. And I've seen videos online and podcasts
22 and all kinds of things where they're explaining

1 how the election system works to the public.

2 That's basically what Misty was doing for me, or
3 for us.

4 Q That -- that's what happened during
5 the first and second visit?

6 A Yeah, as well as the testing that
7 I've already testified to. So we were -- we were
8 observing her running her system similar to a logic
9 and accuracy test.

10 Q During the second visit, you said you
11 didn't get to spend a lot of time with Misty. Is
12 that correct?

13 A I don't remember the exact amount of
14 time each day. I do know that, you know, I was in
15 there for some amount of time, but I can't remember
16 how much. But yeah, I was not there for long
17 lengths of time that I recollect.

18 Q Did you get to run tests during the
19 second visit?

20 A I don't remember being able to run
21 any. If we did, I -- I don't remember it. So I
22 just don't remember.

1 Q And I'm aware this -- oh, go ahead.
2 I'm sorry.

3 A I'm sorry. Go ahead.

4 Q And I was going to say that I'm aware
5 this wasn't the reason why you went, but either of
6 the two visits did you find any definitive answer
7 that the election results for the runoff were
8 incorrect?

9 A I was not looking for that.

10 Q But no, you didn't find anything that
11 would lead you to believe that --

12 A I didn't find it since I wasn't
13 looking for it. I really was interested in the --
14 how the machines operated and whether or not they
15 were operating correctly or anonymously, so I
16 didn't -- honestly I did not go in and -- and you
17 know, compare results at all. I wasn't trying to
18 do that there. That wasn't my goal.

19 Q Okay.

20 A It may have been other people's
21 goals, but it wasn't my goal.

22 Q Okay. Thank you. And then just one

1 more line of questioning.

2 Going back to Exhibit 13, if you want
3 to look at it.

4 A Yes. Yeah, what -- what page? Oh,
5 it's just the one page.

6 Q It's just the one page.

7 A What's the question?

8 Q It's discussing the reversal ballots,
9 correct?

10 A Yes.

11 Q So when you were discussing the
12 reversal ballots, did you only observe this in --
13 actually, strike that.

14 What counties overall, it could have
15 been anywhere in the U.S., did you observe the
16 reversal ballots?

17 A I have observed it in -- I'm thinking
18 trying to be complete here. In Antrim County, I
19 observed reversals at very high rates, an average
20 of 30 percent. And one township was 86 percent of
21 the ballots were reversed and then fed in again.
22 So -- apparently fed in again, it's a little hard

1 to tell if the SLOG file. But 86 percent is
2 totally unacceptable for any election.

3 The requirement -- the national
4 requirement the AC puts out in their guidelines is
5 one out of 500 ballots reversed. So Antrim was a
6 particular problem. Coffee County in Georgia was.
7 In Maricopa, I believe we saw reversals there.
8 I've seen stuff that Kevin Moncla sent me that had
9 reversals. I believe you printed that out as an
10 exhibit. It's one of the files. Basically every
11 file that he sent me, I printed out for you, since
12 you guys asked me to produce that. And one of
13 those files that I printed out was like 7,000
14 reversals in Georgia in the primary, in the 2022
15 primary.

16 That was -- you would have to ask
17 Kevin, but that was across a bunch of counties. I
18 believe there's 65 counties he told me had
19 reversals in them in Georgia. I know you have a
20 lot counties there. You guy have, what, like 159
21 counties or something?

22 Q One hundred fifty-nine counties.

1 A It's got to be the most in the United
2 States. That's incredible, the number of counties.

3 But in any case, many counties in
4 Georgia. We observed it in New Mexico. Basically,
5 you know anyplace that we looked at in this detail,
6 we have seen reversals occur. And generally at way
7 higher rates than allowable by the guidelines.

8 Q And --

9 A Which is why -- which is one of the
10 reasons why I believe the machines -- someone
11 should be complaining about this, someone should be
12 investigating it. And the machines -- just that
13 one alone, unexplained reversal, I believe, should
14 be cause for decertification of the machines, until
15 someone can find out why they're doing that bad
16 behavior.

17 And let me explain why, with my
18 background, why I'm concerned about that. There
19 are unexplained reversals. Okay. There are
20 explained reversals, like an overvote, but those
21 are very few and far between. And those are in the
22 record when those occur. We're talking about

1 unexplained reversals where you feed the ballot in
2 the second or third time in, it takes.

3 Here's the problem. As a bad guy,
4 what they might do is put this kind of behavior in
5 and let it operate that way and give correct
6 results for a year or two, maybe two, three, four
7 election cycles, get everybody accustomed to
8 knowing that reversals just occur, when they do,
9 you put it in again and it will take it. And oh,
10 yeah, we've checked it before, it always comes out
11 with the correct answer. And then one day, after
12 everybody is totally accustomed to accepting
13 something that they shouldn't accept, which is
14 unexplained reversals at extremely high rates, then
15 one day, as a bad guy, what you do is instead of --
16 when it reverses, instead of doing nothing, you
17 actually use that to double count that ballots.

18 And let me explain how that works.
19 The way that would work is that the first time it
20 goes in, it actually scans the ballot and
21 interprets the ballot. We know it does that
22 because the reason it's able to even reverse and do

1 this is it puts a message on the screen, for
2 example, "overvote," to give you a chance to
3 reverse, you know, to say whether or not you want
4 to accept it. All right.

5 So we know it actually interpreted it
6 the first time and, yet, it's still holding the
7 ballot and it can reverse it. So if someone
8 subverted that machine, what it could do is instead
9 of -- in the software loop, instead of deleting
10 that ballot when it reverses it, what if it counts
11 it? And then the second time you put it in it
12 counts it again. And the third time, if you have
13 to take three times, it counts it again. It's a
14 way to multiply the number of votes, which was one
15 the things that was concerning about the 2020
16 election, all the statisticians, myself included,
17 that looked at it said the number of votes was off
18 scale, but unbelievable really in the 2020
19 election. The tens of millions of increased votes
20 was way, way higher than anybody really expected.

21 And there's the appearance, it's in
22 my declaration, in Torrance County, if you read my

1 declaration, very recently there was a county
2 commission meeting in the New Mexico, where the
3 county manager was asked to do a hand recount of
4 the election -- the primary election for 2022.
5 And, to my knowledge, to this date, there are still
6 260 to 280, somewhere in there, depending on how
7 you count it, missing ballots. In other words, the
8 official system, the paper tapes, the EMS, the
9 Secretary of State all agree essentially and they
10 report out votes that are hundreds of votes higher
11 than the number of physical ballots that were
12 counted.

13 Now, this hasn't been totally
14 investigated and confirmed, but if it does get
15 confirmed, what it would show is that the machines
16 have the potential of actually multiplying the
17 images from a certain set of ballots, actually
18 giving you extra votes, if you will. And if you
19 couple that with what we learned -- I believe we
20 learned in Coffee County, that the reversals seem
21 to be settable to be preferential to a candidate.
22 On your ICPs, we learned that, that it was QR coded

1 on an ICX by your election supervisor, all done
2 officially correctly. There's absolutely no reason
3 why it would reverse Trump over Biden or Biden over
4 Trump, and yet it was, by a very large number, like
5 one to six, one to seven.

6 If you use that in an actual
7 election, after everybody got accustomed to
8 reversals and just accepting them, than what could
9 happen is you would have it programmed for a
10 particular party, it could be any party. By the
11 way, if the systems can be subverted, they can be
12 subverted for any candidate. That's part of my
13 concern, bipartisan, is you can cheat for
14 democrats, republicans, libertarians, you could
15 cheat for anybody if the systems are subvertible.
16 Okay.

17 So my concern is that may have
18 occurred in Torrance County and may have occurred
19 in the 2020 election, is that in some places they
20 might have used reversals and triple counted them
21 or double counted them. It's a long answer, but
22 I'm sorry, just trying to make it --

1 Q I wanted to let you finish. I
2 appreciate that, sir.

3 Based on that, when you said that you
4 saw the reversals were primarily for Trump, did you
5 only observe this in counties that voted majority
6 for Trump?

7 A I'm sorry, I had trouble
8 understanding that. Could you repeat the question,
9 please? It was garbled.

10 Q Did you see -- when you experienced
11 that reversals happened for the majority of the
12 time for Trump, did you see that happen, occur only
13 in counties that voted majority for Trump?

14 A The only place I was able to test
15 this was in your -- your county -- or, excuse me,
16 Coffee County. I didn't get to test this anywhere
17 else, so I can't answer that question. And in
18 Michigan we did some testing there, but it -- it
19 wasn't clear either way.

20 Q And did you compare reversals rates
21 observed for the overall results in that county?

22 MR. CLEMENTS: What's "that county"?

1 THE WITNESS: Yeah, which county?

2 BY MR. PICO PRATS:

3 Q In Coffee County.

4 A Did I -- what's the question again?

5 Q Did you compare reversal rates
6 observed to the overall results in Coffee County?

7 A Did I -- what's the -- I'm sorry, I
8 still missed the key word there. Did I do what?

9 Q Compare the reversal rates observed
10 to the overall results in Coffee County?

11 A I did not -- to my knowledge, I did
12 not do that analysis. It -- it -- I -- to my
13 knowledge, I didn't do that.

14 Q And in your expert opinion, you know,
15 assuming this was a real phenomenon and it was
16 happening indiscriminately, do you believe it would
17 have happened in rough proportion to the result in
18 Coffee County?

19 A I'm not sure what you're asking.
20 Please -- it may be getting late in the day, I
21 don't know what's going on here, but could you ask
22 it one more time, please?

1 Q Do you believe that the reversal rate
2 would have happened in rough proportion to the
3 election results in Coffee County?

4 A I don't know.

5 MR. BROWN: I'm going to object. He
6 made no testimony as to the actual reversal rates
7 in Coffee County.

8 THE WITNESS: Yeah, I did for the
9 testing that we did. As far as the actual
10 elections, I don't know that I gave any specific
11 numbers for that. The -- the reports that we gave
12 were for the testing that we did, so I -- I -- I
13 don't know that I can answer that. But, again, I
14 would say that was not my purpose for being there.
15 My purpose was to understand the anomaly and then
16 that helped me understand the systems and look for
17 potential manipulation using that kind of so-called
18 subversion or feature that might be in the system.

19 So whether or not it existed in
20 Coffee County in 2020, was, you know, not my
21 concern. I was just really trying to understand
22 is there a anomaly here? Is it, you know,

1 understandable?

2 MR. PICO PRATS: Okay. That's all
3 the questions I have, sir.

4 THE WITNESS: Okay.

5 MR. BROWN: I have a -- I'm sorry, is
6 there someone else that has questions?

7 MR. CLEMENTS: Well, I was going to
8 ask maybe one or two questions, Bruce, but go
9 ahead.

10 MR. BROWN: No, no, you go and then
11 I'll finish.

12 EXAMINATION BY COUNSEL FOR THE WITNESS

13 BY MR. CLEMENTS:

14 Q Mr. Lenberg, you testified earlier
15 about your time with Sandia National Labs. And
16 what was the ultimate purpose of your efforts
17 working there?

18 Because we heard a little bit about
19 black hats. What your ultimate purpose?

20 A So people may not be familiar with,
21 but Sandia National Labs is a Department of Energy
22 Laboratory that has major missions, including

1 really the maintenance and security of our national
2 stockpile. And so what we are about at Sandia
3 Natural Labs is protecting the nation. That's what
4 we do in a major, major way. We do it in a number
5 of different ways is -- the focus of the work there
6 is to protect the nation.

7 So my 31-year career, you saw early
8 warning satellites. That's protecting the nation.
9 When I was working in Washington, I was protecting
10 the nation. And now -- and then at the end, the
11 vulnerability stuff I did, it was all about
12 protecting the nation from external attacks against
13 our country.

14 Q And more broadly, Mr. Lenberg, you've
15 had the opportunity to evaluate many moving parts
16 or different parts of the election system. What
17 has been your overall purpose in doing so?

18 A Yeah. So I think I mentioned this in
19 my declaration as well, but the bigger picture here
20 that is of great concern to me is that I believe,
21 as an expert, and in a very broad look at things,
22 that the security of our election system is

1 equivalent -- the need for security of our election
2 system is equivalent to the need for security for
3 our nuclear weapons.

4 Literally, you can take down our
5 country -- one reason people don't attack us is we
6 have nuclear weapons and we make sure that they are
7 secure and that they function and all that kind of
8 stuff. A simpler way, a more direct way to take
9 down our country would be through our election
10 system. Because if you can control the election
11 system, you can control essentially every
12 leadership position in the entire country down to
13 the city and county and state and federal level.

14 So it ought to have security
15 sufficient -- or equivalent, in my opinion, to our
16 nuclear weapons. And, yet, the security it has, I
17 would assess that it's equivalent to -- and I'm not
18 demeaning the people that drive away in the Walmart
19 parking lot, the Prius that drives along with the
20 little flashing light, in my assessment, what I've
21 seen across the country and looking under the hood,
22 I'm not talking about the pretty processes you see

1 in the check sheets and so on -- and I'm not
2 blaming our election officials at all, I want to
3 make this very clear, I think we have an incredible
4 group of dedicated election officials across the
5 country, yes, there may be a few bad apples in
6 there in various places that runs ballots multiple
7 times, but that's -- that's no my concern, my
8 concern is really that our election system is
9 extremely vulnerable and unprotected. And the
10 people that should be looking for the anomalies,
11 fully investigating the anomalies, for example,
12 Williams in Tennessee, what we saw there, that has
13 not been fully investigated. What we saw in Antrim
14 was totally ignored. And -- and they say it was
15 debunked. It wasn't debunked. They said it was
16 human error. It wasn't human error. The machines
17 miscounted the vote.

18 So anyway, I -- I think the election
19 system has got to be far better protected than it
20 is. It's -- it's -- it's a huge problem for our
21 country, and that's why I have spent an incredible
22 amount of money and time is I believe it's --

1 it's -- the future of our country literally depends
2 on us having an accurate and secure election
3 system. And we do not have that right now. It has
4 got extreme flaws in it that no one seems to be
5 willing to address.

6 Q And the last question, Mr. Lenberg.
7 Did you share those same concerns for the election
8 system in Coffee County?

9 A I -- I do share those. Significant
10 flaws -- well, the main reason, not just what I
11 found in Coffee County with the testing that we
12 did, but also you used the same model that they use
13 in Michigan. If you read my expert witness
14 reports, all the flaws are there, the same flaws.

15 MR. CLEMENTS: Okay. No further
16 questions.

17 MR. BROWN: I just have one question
18 about your testimony in response to the questions
19 from the Counsel for the State Defendants.

20 EXAMINATION BY COUNSEL FOR COALITION PLAINTIFFS
21 BY MR. BROWN:

22 Q And this is just a followup to the

1 reversals. I believe you testified that one
2 potential malicious use of the reversals is to
3 increase the risk that the reversed ballot is
4 counted twice, correct?

5 A Correct. Correct.

6 Q And so if you wanted to increase the
7 chance that Trump's ballots were counted twice, you
8 would increase the number of Trump ballots that
9 were reversed, correct?

10 A That would be correct.

11 Q And so your findings would not -- in
12 Coffee County with respect to Trump, would reveal a
13 flaw, but they would not reveal a flaw that would
14 likely to have benefited Biden, correct?

15 A Well, let me answer that question. I
16 sort of answered it a minute ago, and that is the
17 fact that the machine is reversing and then you do
18 a count and it's correct, I believe, could be --
19 very likely could be a sensitizing or desensitizing
20 election officials to a problem that they should
21 not accept. They should have demanded that the
22 machines work properly. And to --

1 Q I understand that, but did you --

2 A But let me finish.

3 Q Okay. All right.

4 A So what I learned from Coffee County
5 is that the machines appear to be configurable to
6 preference one candidate over the other, which
7 means that you could do it for my candidate. Okay.
8 And if I'm a bad guy trying to desensitize people,
9 I wouldn't necessarily do it for the candidate I
10 eventually want to do it for, I might do it for the
11 opposite party. Okay. So that if it's caught,
12 people would go just write it off, ignore it, or
13 whatever.

14 So I don't think what you're
15 suggesting proves anything. What I think we have
16 found in Coffee County is there's a major flaw in
17 the system, it can be candidate-specific. It
18 should not be acceptable, the reversals shouldn't
19 at all. The fact that it reversed one candidate
20 over the other by a margin -- major margin is a
21 huge problem independent of which candidate it was.

22 Q Right, but did you point out in any

1 of your reports or any of the blogs or any of your
2 communications up line that the reversals for Trump
3 was reversed eight times over Biden could very well
4 be somewhat an indication of a pro-Trump bias? Did
5 you ever indicate that?

6 A I believe so. You can see in our
7 report, the AC report that Doug did, it shows the
8 actual reversal rates in favor of Trump. You have
9 that. But again the point is -- this is not
10 partisan at all, okay, this isn't about republicans
11 and democrats, it's an election system that I
12 believe is highly manipulatable, highly flawed.
13 You could cheat for anybody. You could cheat for
14 republicans, you can cheat for democrats, you could
15 cheat for anybody.

16 And if you want to put a specific
17 republican in because let's say they're corrupted
18 or they're corruptible, or they have a
19 particular -- you know, I don't know, they've been
20 paid off, who knows, whatever the -- I don't know
21 what the motivations might be, but the point is the
22 system, I believe, could be used to cheat for

1 anybody, and likely has been.

2 Q But you saw no evidence in Georgia
3 that actual votes were wrong because of the
4 reversals, correct?

5 A I don't believe I looked for that.
6 What I did see of course in Liberty County, I
7 believe, some counts didn't add up, but I don't
8 believe at that point I was tying it to reversals.
9 So I'm not sure because I don't believe I ever got
10 SLOG files from Liberty County, so I don't know if
11 it's associated with the reversals or not, but
12 Liberty County definitely has some things that
13 should have been investigated and were not.

14 Q Okay.

15 MR. BROWN: That's all the questions
16 I have. We would like the transcript expedited.
17 We reserve the right to continue the subpoena
18 deposition when we obtain the password or other
19 access to the zip file that was password protected,
20 but request that this portion of the deposition be
21 transcribed straight away. Thank you very much.
22 Thank you for your time, sir. We appreciate it.

1 MR. CLEMENTS: Yes. And, Bruce, what
2 we'll do is we'll do a diligent search over the
3 next 24 hours on whether or not Mr. Lenberg can
4 identify any password and we'll let you know. But
5 I think he's answered those questions. And we'll
6 disclosure our efforts in figuring out whether he's
7 got a password or not anywhere.

8 MR. BROWN: Thank you so much.

9 THE WITNESS: Yeah, I'm sorry, I
10 can't guarantee that.

11 MR. CLEMENTS: And, Felicia, what is
12 the standard time for getting a copy of the video
13 transcript.

14 COURT REPORTER: Do you want to go
15 off the record and discuss that, go off the video
16 record?

17 MR. CLEMENTS: Off the record is
18 fine. This is just housekeeping.

19 VIDEOGRAPHER: We are off the record
20 at 6:21 p.m. This concludes today's testimony
21 given by Jeffrey Lenberg. The total number of
22 media files used is nine and will be retained by

Veritext.

(Whereupon, at 6:21 p.m., the
video-recorded videoconference deposition
of JEFFREY E. LENBERG was concluded;
signature reserved.)

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing videotaped videoconference deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



FELICIA A. NEWLAND, CSR
Notary Public

My commission expires:
September 15, 2024

1 David Clements, Esquire

2 davidclements13@protonmail.com

3 November 22, 2022

4 RE: Curling, Donna v. Raffensperger, Brad

5 11/21/2022, Jeffrey E Lenberg (#5593203)

6 The above-referenced transcript is available for
7 review.

8 Within the applicable timeframe, the witness should
9 read the testimony to verify its accuracy. If there are
10 any changes, the witness should note those with the
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of
13 Deponent and Errata and return to the deposing attorney.
14 Copies should be sent to all counsel, and to Veritext at
15 cs-midatlantic@veritext.com

16
17 Return completed errata within 30 days from
18 receipt of testimony.

19 If the witness fails to do so within the time
20 allotted, the transcript may be used as if signed.

21
22 Yours,

23 Veritext Legal Solutions
24
25

Curling, Donna v. Raffensperger, Brad

Jeffrey E Lenberg (#5593203)

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REASON_____

Jeffrey E Lenberg Date

1 Curling, Donna v. Raffensperger, Brad

2 Jeffrey E Lenberg (#5593203)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Jeffrey E Lenberg, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10
11 _____
12 Jeffrey E Lenberg

Date

13 *If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 _____ DAY OF _____, 20____.

16
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18 _____
19 NOTARY PUBLIC
20
21
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